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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BOZA PLEASANT-BEY,)	
)	
Plaintiff,)	
)	Case No. 3:19-cv-00486
VS.)	JUDGE TRAUGER
)	JURY DEMAND
STATE OF TENNESSEE, et al,)	
)	
Defendants.)	
	X	

DEPOSITION OF JON THOMAS SHONEBARGER, JR.
TAKEN ON MAY 6, 2021

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1 S T I P U L A T I O N

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4 The deposition of Jon Thomas Shonebarger, Jr.,
5 taken on behalf of the plaintiff, remotely via Zoom, by
6 agreement of parties, on May 6, 2021, for all purposes
7 allowed under the Federal Rules of Civil Procedure.

8 It is agreed that Carole K. Briggs, licensed
9 court reporter for the State of Tennessee, may swear the
10 witness, take his deposition, and afterwards reduce same
11 to typewritten form, and that the reading and signing of
12 the completed deposition by the witness is not waived.

13 All formalities as to notice, caption,
14 certificate, et cetera, are expressly waived. All
15 objections, except as to the form of the question, are
16 reserved to the hearing.

17

18 (Unless previously provided, all names are spelled
19 phonetically, to the best of the court reporter's
ability.)

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1 (Whereupon, the foregoing deposition
2 began at 9:12 a.m.)

3 THE COURT REPORTER: We are on the record on
4 May 6, 2021 at 9:12 a.m. At this time, would each
5 attorney please introduce yourself, who you represent
6 and that you agree to this deposition being done
7 virtually by Zoom.

8 MS. MAPLES: Janna Maples with Branstetter,
9 Stranch and Jennings for the plaintiffs. And I agree.

10 MR. WELBORN: Joe Welborn and Erin Polly for
11 CoreCivic. And we agree.

12 MS. HASHEMIAN: Nikki Hashemian with the
13 State of Tennessee. And we agree.

14 Whereupon,

15 JON THOMAS SHONEBARGER, JR.,
16 having been first duly sworn, was examined and deposed
17 as follows:

18 EXAMINATION BY MS. MAPLES:

19 Q. Please state your name for the record.

20 A. Jon Thomas Shonebarger, Jr.

21 Q. Where are you currently employed?

22 A. CoreCivic. Trousdale Turner Correctional
23 Center, Hartsville, Tennessee.

24 Q. What is your job title there?

25 A. Chaplain.

1 Q. How long have you been there?

2 A. I've been there over four years, beginning
3 November of 2016 in -- at Trousdale.

4 Q. Is there any reason that you can't testify
5 honestly and truthfully today?

6 A. No reason.

7 Q. What is your job description as chaplain at
8 Trousdale?

9 A. Well, fundamentally, it's to provide
10 religious facilitation for 93 different religions that
11 is recognized by Tennessee Department of Corrections.
12 To assist inmates with pastoral counseling. Provide
13 emergency notifications and spiritual counseling,
14 pastoral care. To have relationships with groups that
15 would assist in facilitating the needs of the inmates.
16 I also recruit and train and supervise volunteers in the
17 fulfillment of religious services. That's fundamentally
18 what I do.

19 Q. You said something about emergency
20 notifications. What did you mean by that?

21 A. When we get called by family that a next of
22 kin has passed away, I will verify the fact of the
23 matter and notify the inmate. And provide consolation,
24 brief counseling, virtual care and enable the inmate to
25 be able to call his family and deal with the situation.

1 Q. I think you just mentioned recruit, train and
2 supervise volunteers.

3 A. That's correct.

4 Q. What goes into that?

5 A. As we have inmates that are interested in
6 having a group, I do a chaplain sort of thing that they
7 can, to be able to find those that are, you know, are
8 familiar with a particular faith, whether it be
9 spiritual leaders, members of a congregation that are
10 willing to go through Tennessee Department of
11 Corrections certification, a federal background check.
12 And to be able to bring services at no compensation to
13 themselves with the intention of helping, assisting,
14 mentoring inmates.

15 Q. Does Trousdale have a local volunteer
16 advisory board?

17 A. Yes, by Policy 115.01, we have a local
18 community resource board.

19 Q. What did you say that board was called again?
20 Can you repeat that?

21 A. Tennessee Department of Correction Policy
22 115.01.

23 Q. I'm sorry, the name of the board?

24 A. Local community resource board.

25 Q. And that's the board that serves as the local

1 volunteer advisory board?

2 A. That's correct.

3 Q. And do you work with them?

4 A. I do. By policy, it is the warden's board,
5 but it's consisted of volunteers associated with the
6 local facility.

7 Q. Which contract monitor at Trousdale, if any,
8 is involved in overseeing religious accommodations and
9 religious services at Trousdale?

10 A. In my four-and-a-half-year tenure at
11 Trousdale, Chris Brun and Jon Walton have been involved
12 with overseeing religious services.

13 Q. And in what sense do they oversee the area of
14 religion?

15 A. They perform periodic audits. They -- yet in
16 doing so, they will go through our audit tool, Tennessee
17 Department of Correction audit tool, to ensure that we
18 are following those particular points satisfactorily.
19 They'll ensure that they have received certification
20 training, PREA training and received a federal
21 background check. They also are involved with
22 addressing any concerns, questions, recommendations from
23 inmates via fulfillment of the religious services
24 component of the prison.

25 Q. Is there a TDOC audit tool specifically

1 geared toward religion?

2 A. Yes, there is. And there is also an audit
3 tool for volunteer services.

4 Q. Can you explain a little bit more about the
5 role that Chris Brun and Jon Walton have had in
6 addressing requests or issues concerning religion that
7 have been raised by inmates?

8 A. I think more than anything else, as they
9 interact, they will come to my office and check my audit
10 tool. They'll check the volunteer fund. Obviously,
11 they're involved with dealing with the central office
12 auditing. They will advise the warden and the assistant
13 warden of treatment of issues and questions. They will
14 reach out to me with a question, asking me to answer the
15 inmate, provide them an answer. So it's a very active
16 relationship, virtually every day we have conversations
17 on how things are going. And you know, as I said, in
18 touch with.

19 Q. So you mentioned that they would come in and
20 check your audit tool. I'm asking a bit more about
21 their role outside of the audit tool. So if you could
22 explain a little bit more about how they're -- Jon
23 Walton and Chris Brun are involved in inmate requests or
24 requests for accommodation or grievances concerning
25 religion.

1 A. They have visibility through, you know,
2 through our EDO staff of anything that would be a formal
3 grievance. They have visibility of that. Basically, my
4 relationship is just casual conversation, head's up, you
5 know, what's going on. But there will be times of
6 formal interaction. As I said, they come to the office
7 and they want to check the things that I'm responsible
8 for overseeing.

9 Q. Well, do they check in on your handling of
10 specific requests or grievances concerning religion in a
11 formal way?

12 A. With every religious accommodation, they
13 provide input. And in that process, you know, the
14 inmate would, and the inmates associated with a group
15 request, put down their particular request. They're
16 reviewed by myself as chaplain in consultation with the
17 assistant warden of treatment, as well as, you know, a
18 conversation with the contract monitor.

19 My recommendations are then elevated to the
20 assistant warden of treatment for their evaluation, and
21 then go to the warden for evaluation. Now, what I, you
22 know, cannot speak to is the interaction that the senior
23 leaders of the facility, whether it be the assistant
24 warden or the warden, would have with the contract
25 monitors concerning those things.

1 Q. Well, it sounds like, at least in terms of
2 your involvement with religious requests from inmates,
3 the contract monitors don't play any kind of formal role
4 in handling or --

5 A. That's correct.

6 Q. Okay. You may have conversations with them,
7 but there is no specified role for them in that --

8 A. That's correct.

9 Q. -- process?

10 A. That's correct.

11 MR. WELBORN: Let her finish the questions
12 before you answer.

13 BY MS. MAPLES:

14 Q. How often would you say that you informally
15 involve the contract monitors in religious requests from
16 inmates?

17 A. Can you clarify when you say religious
18 requests, please?

19 Q. Well, any request from an inmate for
20 religious property items, religious services or
21 religious accommodations.

22 A. Okay, those are things that, you know, a
23 chaplain should be trained in knowing what the property
24 -- the Tennessee Policy 118.01, the religious memo
25 concerning property. That would be something that at a,

1 you know, at a facility level would be considered a
2 subject matter expert in conjunction with the oversight
3 of my assistant warden of treatment. So on routine
4 matters of daily business, they would not be approached
5 or whatever, asked their opinion. That's why you have a
6 chaplain to be able to do that.

7 Q. What about the other one, religious
8 accommodation requests?

9 A. There have been a few in my tenure. And, of
10 course, you know, what we're here discussing,
11 Mr. Pleasant-Bey, and obviously he's come to mind. I've
12 only had probably just a couple that I can think of, two
13 or three in my tenure.

14 Q. A couple of what in your tenure?

15 A. A religious accommodation request.

16 Q. I'm sorry, I don't know that I am
17 understanding. Are you saying that you've only had a
18 couple of religious accommodation requests from inmates
19 at Trousdale since you have been there?

20 A. There have been few, very few. You know, the
21 key is, with 93 recognized religions in the state, any
22 religion that is not currently in a -- participating in
23 a group setting, the inmates of that particular faith
24 could formally request recognition and accommodation of
25 certain things. Time, space, holidays, things of that

1 nature that would be reviewed. So as I said, there's
2 been very few, very few in my tenure.

3 Q. Do you draft memos on religious issues in
4 your role as chaplain at Trousdale?

5 A. Yes, I do draft them.

6 Q. What do you do with those memos after you've
7 drafted them?

8 A. I submit them to my superior, which would be
9 the assistant warden of treatment, for agreement -- for
10 approval.

11 Q. Who is the assistant warden of treatment?

12 A. Brandon Wattwood.

13 Q. And how long has he been in that role?

14 A. I am not certain. I would project somewhere
15 around March of 2020.

16 Q. Who was his predecessor?

17 A. Predecessor was Denise Davidson.

18 Q. So you submit the memos to the assistant
19 warden of treatment for approval. And then what happens
20 to them?

21 A. Okay, be specific on what kind of memo you're
22 talking about.

23 Q. Well, how many different kinds are there?

24 A. Any kind of action potentially coming from
25 the -- from a chapel, from one of the services

1 department, would require an approval through the chain
2 of command, beginning with my assistant warden of
3 treatment. So it could be anything with a movement,
4 call out of inmates for a program. It could have to do
5 with basically any issue dealing with our operation. So
6 that would be drafted and submitted for approval.

7 Q. How many memos would you say you've drafted
8 since you've been at Trousdale?

9 A. I don't know.

10 Q. More than 20?

11 A. You know, I can't say.

12 Q. More than 200.

13 A. I would have to say there are not that many,
14 but I can't give you...

15 Q. So somewhere less than 200?

16 A. I would -- I would say that's accurate.

17 Q. Do you keep copies of all of those memos?

18 A. There should be a file. You know, I would --
19 things that are required by policy would be kept. Would
20 be kept. Other routine matters of, we want a call out
21 at 2:30 in the afternoon, is insignificant. So after it
22 would be performed, it wouldn't be necessary to...

23 MS. MAPLES: Is anybody else's screen a
24 little frozen?

25 (Off-the-record discussion.)

1 BY MS. MAPLES:

2 Q. So some are saved, but not all of your memos
3 are saved?

4 A. As I said, something that, like a religious
5 accommodation memo that would be submitted, would be
6 kept. It's a matter of record per an audit. So that
7 would be kept.

8 Q. Where are those memos stored?

9 A. At least in the chaplain's office. I can't
10 speak for central office or anyone else that may be of
11 interest.

12 Q. So you have copies of the memos?

13 A. As I said, I have copies of the memos
14 pertinent to an audit, like a religious accommodation.

15 Q. Do you have copies of some of the other
16 memos, you know, on your computer maybe, just where
17 you'd saved them after drafting them?

18 A. I would need for you to be specific on what
19 kind of memos you're talking about.

20 Q. Well, I mean, I am not asking about any
21 specific memo. I'm just asking if, other than the memos
22 you would save that might be relevant to an audit, might
23 you have other memos saved on your computer?

24 A. Potentially.

25 Q. Can you describe the ways in which an inmate

1 goes about requesting something related to religion?

2 A. There are a multitude of things that they
3 could talk to about religion. Anything from a chaplain,
4 counseling, consultation. An inquiry about faith
5 tenets. About houses of worship as they release that
6 they could possibly attend. Wanting to attend a
7 service. There are an innumerable amount of requests
8 that an inmate could make.

9 Q. Okay, what about an inmate who wants
10 something related to his religion that is not currently
11 available at Trousdale, how would that inmate go about
12 doing that?

13 A. Can you give me a type of item, a type of
14 request? Not the request, but what kind of item are you
15 talking about?

16 Q. No, because I want to know all of the
17 different ways in which an inmate might do that for
18 anything related to religion.

19 A. It would say -- they would say that they want
20 to know if they could have a particular item. There
21 would be conversation with them on whether that is a
22 component of their particular faith. They have -- there
23 is something that is documented within Tennessee policy
24 that is something that's authorized, then we have a
25 responsibility to do everything we can to facilitate

1 that.

2 Q. So you're describing that first, there might
3 be an informal discussion with the inmate about a
4 certain item?

5 A. Correct.

6 Q. What -- how does that process then become
7 formal?

8 MR. WELBORN: Object to the form. You can
9 answer if you can.

10 THE WITNESS: Beg your pardon?

11 MR. WELBORN: You can answer.

12 THE WITNESS: Repeat the question, please.

13 BY MS. MAPLES:

14 Q. You've described having conversations with
15 inmates in an informal way about certain requests.

16 A. Correct.

17 Q. I'm asking if there is also a formal way for
18 inmates to make those requests?

19 A. There's two mechanisms by which they can do
20 it. According to Policy 118.01, there is an individual
21 accommodation request that they would submit that would
22 be reviewed, beginning with myself. I would give a
23 point of view, per policy, for faith need and submit
24 that through my assistant warden. Then the warden. And
25 submit it to central office for approval.

1 If it is a group request or is a group of
2 inmates that are in that particular faith and they are
3 seeking accommodation for their group, whether it be a
4 piece of property or -- I think we're talking -- you're
5 talking property more than anything else. It's the same
6 basic process. The difference is the amount of people
7 that are doing it. Obviously the key term, individual
8 versus group.

9 But to the best of my ability as chaplain and
10 a local subject matter expert, we're going to give a
11 recommendation on it. I am not the final authority.
12 You know, I am not the final authority. I'm the point
13 of entry. And it goes up the chain of command. And
14 hypothetically, you know, I could have a different point
15 of view, but central office can say they disagree with
16 that and this is the way it's going to be. And we
17 follow the direction from our customer. You know, we're
18 CoreCivic, from our customer, Tennessee Department of
19 Correction.

20 Q. Is the group religious accommodation request
21 governed by a different policy than the individual?

22 A. No.

23 Q. They're both 118.01?

24 A. That's correct.

25 Q. And when you testified earlier that you've

1 gotten a few of these since you've been chaplain at
2 Trousdale, how many would you say you've gotten?

3 A. I'd say five or less.

4 Q. Just to be clear, you've gotten five or less
5 requests for accommodation under TDOC Policy 118.01?

6 A. Group accommodation, that's correct.

7 Q. How about individual accommodation under
8 181.01?

9 A. I've had none.

10 Q. How many chaplains are there at Trousdale?

11 A. We're a staff of two chaplains.

12 Q. How many are there right now?

13 A. Two chaplains.

14 Q. Who is the other chaplain?

15 A. Quinten Fletcher.

16 Q. How long as he been there?

17 A. Approximately October of last year.

18 Q. Who was there before him?

19 A. Aaron Bellar.

20 Q. How long was he there?

21 A. Five or six months.

22 Q. Who was there before Aaron Bellar?

23 A. Tom Simic.

24 Q. What was his tenure?

25 A. From approximately March of '17 through

1 November of '19.

2 Q. How many depositions have you given?

3 A. This is my maiden voyage.

4 Q. Okay, so we've talked about three mechanisms
5 for inmates to make religious requests. That they could
6 come to you informally and just have a conversation with
7 you about what they're seeking. They could also submit
8 an accommodation request pursuant to TDOC Policy 118.01;
9 is that right?

10 A. Yes, ma'am.

11 Q. What about inmates who submit grievances
12 concerning your handling of certain religious requests,
13 what is your role in those?

14 A. To give a review of what the inmate's point
15 of view is, to give an answer on how it was handled and
16 why it was handled the way it was handled.

17 Q. Do inmate grievances concerning religious
18 matters ever act as requests in and of themselves?

19 A. They haven't to date that I can remember.
20 Potentially they could, if it is determined that there
21 has been -- you know, the inmate has a grievance, they
22 got a point of view that something was mishandled. So
23 hypothetically, there could be an action as a result of
24 it.

25 Q. So you're saying it could work out that way,

1 but it just hasn't in practice?

2 A. It hasn't.

3 Q. How many inmates are currently at Trousdale?

4 A. The last I heard, we were approximately
5 within 100 of federal capacity.

6 Q. So how many is that?

7 A. I believe our bed capacity is 2550.

8 Q. And do you have a sense of what percentage of
9 those inmates are Muslim?

10 A. I can't give you a percentage. We have -- we
11 have approximately 200.

12 Q. How many Christian inmates are there?

13 A. As a result of 93 recognized religions, I --
14 there are any number of categories of Christian within
15 the TDOC recognition. For example, you can be Christian
16 and be Methodist, Lutheran, Baptist, Church of Christ.
17 So and then there are just Christian, or it's called
18 Christian faith. Some non-denomination. So there -- I
19 would approximate 1800 approximately Christian inmates.

20 Q. And do you have a total number of the
21 different categories within Christian that there are?

22 A. I don't have that at my disposal. Every -- I
23 will say every month, central office, the IT department,
24 sends me a list of everyone that is assigned to
25 Trousdale. That was per my request.

1 Q. How many different designations are there
2 within the Islamic faith?

3 A. I believe there's five.

4 Q. How many group services are there for
5 Christian inmates every week?

6 A. Are we talking COVID or pre-COVID?

7 Q. Well, let's do both.

8 A. I need to answer that according to Tennessee
9 Policy 118.01. Any inmate can go to any program. In
10 other words, we don't screen inmates at the door saying
11 you're Muslim, you can't step into this Christian
12 service. So we can have different religious programs on
13 the calendar, but the opportunity for inmates to come of
14 different religions is always available to them.

15 We have volunteers through Men of Valor, which is
16 headquartered here in Nashville, that is fundamentally
17 re-entry. Re-entry providing opportunities for inmates
18 of any faith to go to their program. During COVID,
19 there was some opportunity, limited opportunity of about
20 ten inmates, to be able to go to a particular program.
21 And there were a few of those.

22 During COVID, there has been two Muslim
23 services. There has been a Taleem service and a Friday
24 service. And by religious tenet, it cannot be Jummah on
25 a Friday because it has to be open to the entire

1 population. We rotated -- we rotated inmates and tried
2 to give as many as possible an opportunity, within the
3 scope of COVID protocol, to attend. Let me also mention
4 that the number of services for Muslims, excluding --
5 let me rephrase it --

6 Q. Hang on, Mr. Shonebarger, this is turning
7 into a bit of a lengthy answer that -- my question is
8 how many services a week are there for Christian
9 inmates. So we're going to talk about Muslim inmates --

10 MR. WELBORN: You can finish your answer as
11 you were answering. Don't interrupt the witness, Janna.

12 MS. MAPLES: Joe, he can't talk for four
13 pages on the record about something nonresponsive to the
14 question. I am certainly allowed to say, sir, can you
15 please address my question.

16 MR. WELBORN: He is allowed to finish his
17 answer. Don't interrupt him.

18 THE WITNESS: As I was saying, during COVID
19 protocols, there has been three Muslim services. Two
20 Sunni and one Nation of Islam. Let me retract that.
21 There's been two Sunni and two Nation of Islam services
22 during COVID. In the same protocol as pre-COVID. The
23 amount of services for Nation of Islam and Sunni have
24 not changed, whether we were operational or in COVID
25 protocol.

1 Christian services during COVID was in the
2 chapel. I believe there was only one Christian service.
3 And in pods, there was one service. We operated by
4 request of the inmate during COVID. There is no way to
5 fairly facilitate 1800 approximately Christians, so it's
6 very much like a, you know, lockdown. But religious
7 rights continue through the availability of Bibles.
8 Religious literature, religious property, and authorized
9 mail. And inmates are free to pray and to meet in small
10 groups, according to COVID protocol. So formal
11 programs, as I said, there was one extended to -- of the
12 current -- of the last COVID protocol.

13 BY MS. MAPLES:

14 Q. What about pre-COVID Christian services per
15 week?

16 A. I would like to go to -- have a calendar.
17 Have you been -- is that something that has been
18 submitted to you? I can give you a rough number. Let
19 me just think through this. There would be four.

20 Q. What were those services?

21 A. A Christian faith Sunday worship service.
22 Monday morning Men of Valor programming. However, it is
23 -- I facilitated it for the benefit of re-entry. Anyone
24 can come. There was a Christian sermon that would be
25 offered. So that's my second. Church of Christ on

1 Thursday. Baptist on Friday.

2 Q. And these are all services, it sounds like,
3 right?

4 A. Yes. There was a Catholic service on Tuesday
5 afternoon.

6 Q. Well, are there any more?

7 A. Christian?

8 Q. Yes.

9 A. That's what I would categorize as Christian.

10 Q. I mean, is it up for debate? Are there any
11 on the line that you might not categorize as Christian,
12 but some might?

13 A. Some may consider Seventh Day Adventist or
14 Jehovah's Witness, but I would not. I consider those
15 separate.

16 Q. When you describe a Christian service, what
17 is it about the event that makes it a service as opposed
18 to, say, a Bible study?

19 A. Our services would include music. We have an
20 inmate choir that would play. And a service would have
21 an individual bringing forth a sermon; whereas, a study
22 would be typically in an informal circle with
23 interaction from the facilitator who participates.

24 Q. Okay. So it sounds like religious events,
25 I'm going to call them, are in two categories. A sermon

1 -- or services, which include a sermon, and studies; is
2 that fair? Or is there a more --

3 A. Yes, that's fair.

4 Q. Okay. So how many Christian studies are
5 there a week?

6 A. There's been, depending on the month,
7 somewhere around three or four. However --

8 Q. Per week or per month?

9 A. Let me continue. For example, Celebrate
10 Recovery is available to anyone who requests. The
11 Christians Against Substance Abuse -- the term Christian
12 is there, however, any inmate can participate. Anger
13 Resolution, any inmate can participate. So there are
14 components of Christianity, but moreover, they are
15 teachings that apply across any line and inmates would
16 feel comfortable in attending if they would.

17 Q. Just to clarify, you said depending on the
18 month, there are three or four. Did you mean three or
19 four a month or three or four a week?

20 A. When we were operational, there was that many
21 a week.

22 Q. Okay, so the examples you've given are Anger
23 Resolution, which is Christian-based, Christians Against
24 Substance Abuse, and Celebrate Recovery. What other
25 ones?

1 A. Anger Resolution.

2 Q. I got that one. What else?

3 A. The Men of Valor discipleship groups. It's
4 Wednesday night. And we have different -- men of
5 different faiths that are involved with that. The key
6 -- you know, it's important to recognize that Men of
7 Valor is a re-entry component for the Tennessee
8 Department of Correction, as well as CoreCivic in the --
9 you know, throughout the state, fundamentally within the
10 Middle Tennessee area. But with the key on re-entry.
11 You know, there's a line there. It's Christian-based,
12 however, the principles of manhood, citizenship,
13 employment, personal growth are all part and parcel of
14 their presentation in their discipleship groups.

15 Q. So how is the discipleship group different
16 than the Men of Valor service on Monday?

17 A. Men of Valor volunteer would preach the
18 Christian message. You know, an umbrella across
19 denominational lines. Just a central message applying
20 to the tenets of Christianity. This is an opportunity
21 for inmates to meet the Men of Valor director.

22 Q. Is that on Monday?

23 A. That is correct. That is correct. And
24 during COVID, that was done for a small, just a fraction
25 of men on Mondays by Zoom. Two different programs. And

1 then we did the discipleship group three times in the
2 Wednesday evening.

3 Q. So still, the question I'm asking is, what is
4 the difference between the service and the discipleship
5 group? Is that the discipleship group is a study?

6 A. Yes, it is. The inmates would be assigned a
7 certain portion of a text with the questions to answer.
8 And then in an informal circle, they go around the
9 circle and share their points of view.

10 Q. And do you lead the discipleship group?

11 A. I do not. It's my responsibility as chaplain
12 to supervise the volunteers. And to provide presence,
13 you know, from a chaplain's standpoint, security
14 standpoint to be there. But anyway...

15 Q. So in the Men of Valor discipleship group,
16 people are assigned portions of text. When you say
17 text, do you mean the Bible?

18 A. Correct.

19 Q. Do you lead a Bible study at all at
20 Trousdale?

21 A. During COVID, I began a theology class on
22 Sunday morning.

23 Q. Okay. So a theology class, would you put
24 that in the category of a study?

25 A. Correct. There were opportunities to do

1 informal. Go into a living unit, to a pod, and just,
2 you know, the chaplain's here. And the guys would
3 gather together and, you know, I would just, you know,
4 encourage, pray with the inmates. Whoever wanted to
5 come see me.

6 Q. Is that something you've done during COVID,
7 before COVID or both?

8 A. Throughout. You know, a chaplain is
9 responsible to do rounds. I do rounds, you know,
10 throughout the year and throughout the facility, you
11 know, to make myself available. And when you have
12 approximately 2500 inmates and you can only have ten in
13 a COVID service, there were limitations. The emphasis,
14 obviously, was, again, facilitating and assisting
15 inmates in their personal practice while in this
16 lockdown. And you know, getting back to what I said at
17 the top of our conversation, provide materials of all
18 faiths, all religions to the inmates. Passing them out,
19 answering requests. Being available for consultation,
20 for prayer, so forth.

21 Q. So other than the theology class, have you
22 ever led a study at Trousdale, any other kind?

23 A. I have done Sunday morning worship service.

24 Q. Well, that's a service. I'm trying to keep
25 it in these two categories.

1 A. I -- I honestly cannot remember. In four-
2 and-a-half years, yeah, I certainly would love, you
3 know, to be able to make myself available as
4 possibilities. But also, you know, we have volunteers.
5 You know, my -- the policy makes it clear that the
6 chaplain is allowed to lead a service within his faith
7 tenet. So that's where I come from on a Sunday morning.
8 Typically, volunteers aren't available on Sundays. But
9 in four-and-a-half years, other than what I've done in
10 COVID with a theology class, I can't remember. Although
11 -- you know, I just can't -- I can't recollect.

12 Q. Okay. So other than, I guess -- strike that.
13 We've discussed, I think, five different weekly studies
14 for the Christian religion. Other than those, can you
15 think of any other ones?

16 A. No. And I -- we need to clarify that those
17 are on a rotating basis, you know, the availability of
18 the volunteer. So you know, sometimes they want a break
19 between subject matter. Sometimes they're going to be
20 gone for a while. What I have submitted to you are the
21 ones throughout the course of time that we have done.

22 You know, we are challenged with time and
23 space. Time on the calendar. You know, we have count.
24 We have chow time. We have lockdowns. We have any and
25 sundry different things within a prison. And there's

1 only small windows of opportunity for religious
2 programs. And so the ones that I have shared with you
3 are the ones within my tenure at Trousdale that have
4 been offered and facilitated.

5 You know, there is another -- if I can
6 mention here. When you have 2500 inmates and
7 approximately 1800 Christians and approximately 200
8 Muslims, obviously, in order to try to facilitate
9 opportunities for all of the population, you would have
10 more services for the higher population.

11 (Whereupon, the court reporter asks for a
12 partial repetition of response.)

13 THE WITNESS: As I was saying, as a chaplain,
14 you're responsible for scheduling. And when you have
15 1800 Christians of various denominations and trying to
16 facilitate opportunities for them, there would obviously
17 be more opportunities on a calendar than a small group.
18 We can potentially have all of the -- we could have all
19 of the Jehovah's Witnesses out in one service. We could
20 have all of the Catholics out in one service. We could
21 have all of the Rastafarians out in one service. By the
22 way, we provided two services for Rastafarians. And
23 you've heard, you know, what we have afforded the Muslim
24 community. So every effort to be fair and equitable to
25 the population drives the scheduling.

1 BY MS. MAPLES:

2 Q. Is there a Hebrew Greek Bible study?

3 A. There is. There was while we were
4 operational. So there has not been one in 14 months.

5 Q. But that's not in the list we just went over
6 of the, you know, all of the studies we know of, right?

7 A. That was not included, no.

8 Q. Are there any other studies that you may have
9 forgotten that are similar to the Hebrew Greek Bible
10 study?

11 A. I want to correct your language if I may,
12 ma'am.

13 Q. Sure.

14 A. That is not a Hebrew Greek Bible study. That
15 is a Hebrew Greek language study. It is not a Bible
16 study. And it's inmate led. So I do not categorize it
17 as such. There was a decision to have that class made
18 -- facilitated. And we followed the direction.

19 Q. When they're doing their language study, what
20 texts do they use?

21 A. They use a handout from the inmate leader
22 that he makes of any number of subjects that, you know,
23 he translates into Hebrew and Greek.

24 Q. Do they ever use the Bible?

25 A. Not as much as you would think. Limited, I

1 would use the terminology of limited.

2 Q. What is the purpose of the Hebrew Greek
3 language study?

4 A. To try to teach inmates Hebrew and Greek.

5 Q. Is that for the purpose of being able to read
6 the Bible in Hebrew and Greek?

7 A. There is any number of literature and other
8 texts, so forth like that, in Hebrew and Greek, that it
9 would be -- you know, that particular learning apparatus
10 could be applied to any number of different areas.

11 Q. Is there an Arabic language study group?

12 A. Yes.

13 Q. Who teaches that?

14 A. Daniel Villers, inmate Daniel Villers. As a
15 matter of fact, they had it two days ago.

16 Q. How long has that been operational?

17 A. My direction to the inmates was this: They
18 have -- Sunnis have two services a week, even during
19 COVID. They have an opportunity for the regular-
20 scheduled service, plus the opportunity to not return to
21 their cell during prison count, stay in the chapel and
22 continue their programming.

23 So they have a window of four hours twice a
24 week that they can pray, which is a short amount of
25 time. And then they have the balance of the time to do

1 whatever they want to be able to study, discuss, within
2 the parameters of their faith. And I've made it very
3 clear to them, there is not a need to schedule a
4 separate service, because you've got eight hours of
5 potential programming a week in which you can interject
6 that. And that has -- that's what they're doing.

7 Q. When did this four-hour time period go into
8 effect?

9 A. This is historical. I mean, this is -- that
10 window of opportunity has been since the prison opened.

11 Q. What is a Taleem service?

12 A. It's a teaching service.

13 Q. Is it targeted for a certain group of
14 inmates? A certain group of Muslims?

15 A. We have two different Taleem services. We
16 have a Nation of Islam and we have Sunni. Anybody can
17 come. So we don't card you based on your faith.
18 Christians can go to a Taleem service. There have been
19 some that go just because they want to be able to hear
20 Arabic.

21 Q. I'm happy for you to continue giving me
22 information that I am not asking you about, it's just
23 going to make the whole thing take a lot longer. I've
24 got all day, but I'm asking you kind of specific
25 questions, okay? So these two Taleem services a week,

1 are they both in that four-hour period?

2 A. They have a regular program with the
3 capability of staying there in the chapel on an out
4 count. Rather than returning to their cell to get
5 counted, they can stay in the chapel and be counted and
6 continue their programming.

7 Q. What day is the Taleem service?

8 A. One service for Sunni inmates is on a
9 Tuesday. Tuesday afternoon. The Nation of Islam is on
10 Wednesday morning.

11 Q. Are you saying that the Sunni service is four
12 hours and then the Nation of Islam is a separate four
13 hours?

14 A. No, ma'am. I'm not saying it's four hours at
15 all. You've misunderstood me. A program will be called
16 potentially. Everything is going to depend on when
17 count clears, when movement operations within a
18 facility. So when we are in a position to call inmates,
19 they come. The service length can be different within a
20 few minutes. But then at the end of the service, they
21 are called to leave. They have to return to their
22 housing unit.

23 They have the availability to request from the
24 chaplain to stay for out count and continue their
25 programming. That would add up to about four hours.

1 Q. Okay. The four hours that includes and
2 extends beyond the Taleem services, is there four hours
3 for Sunni Muslims and four hours for Nation of Islam?

4 A. If they request it.

5 Q. And if they request to remain in the chapel
6 after these Taleem services have ended, they can do what
7 in the chapel?

8 A. Just continue.

9 Q. Continue what?

10 A. We don't stop them in the middle of a
11 sentence to say it's time to move. Their request to say
12 we would like to be able to stay for an out count today
13 is done at the beginning -- is done at the beginning of
14 the service. We have paperwork we need to fill out to
15 inmates' things and submit it to our count wheels, so
16 they are properly accounted for.

17 The program is called -- supposed to be
18 called at seven o'clock. Sometimes it could be 7:30.
19 So from 7:30 until 9:00 is an hour-and-a-half. Count is
20 anywhere from two, two-and-a-half hours. There is the
21 approximation of four hours that they could stay and do
22 programming. But most guys don't want to do that, but
23 it is available to them. And consider, I am in there --
24 I am in my office right where they are monitoring the
25 program and doing all of the other responsibilities that

1 I have. So it's no problem for me to facilitate them.

2 Q. What I'm trying to figure out is if inmates
3 who are in a Taleem service ask to stay over, through
4 the outcount. You've testified that they can continue
5 with the programming.

6 A. That's correct.

7 Q. Can they do whatever they want or do they
8 need to continue with the Taleem service? Can they
9 break off into smaller groups and sit in different areas
10 of the chapel? What is their option?

11 A. They can do -- as long as they're orderly and
12 within their faith, discussing their faith, interacting
13 with one with another, there is no limitation.
14 Absolutely no limitations. I don't put a litmus test on
15 what they're talking about. I think they have the
16 freedom of religion. And they can discuss their faith,
17 their own opinion, their own point of view from texts or
18 the Koran as they wish. There is no -- you know,
19 stopping that on my part or anyone else's part.

20 Q. Have you ever received a request for the
21 equivalent of a Bible study for Muslims?

22 A. You know, Mr. Pleasant-Bey had requested an
23 independent Arabic class where I had advised him of the
24 ample time in two services to be able to introduce that.
25 And as I have mentioned a few moments ago, that is going

1 on. That is going on right now with no conflict. No
2 running out of time. Everything is happy and
3 satisfactory.

4 Q. Well, what if an inmate wanted to come to the
5 programming that takes place after the -- or excuse me,
6 strike that. If an inmate wants to attend the
7 programming that occurs after the Taleem service, but
8 not the Taleem service, could an inmate do that?

9 A. Okay, we need to clarify. It would be just a
10 continuation of the Taleem service. It's a
11 continuation. So it's all Taleem. The Taleem is very
12 broad. It's just their opportunity to learn about their
13 faith. In whatever format they wish to pursue, as long
14 as they are peaceable, they're free to do it. Now, they
15 cannot come when we're at count. Everyone is locked
16 down. If they came at the beginning of the service at
17 the original call out, first thing in the morning, and
18 they wanted to stay, as I have stated, they can stay.

19 Q. Who leads the Taleem service?

20 A. Various inmates have in the history of the
21 facility. I have a -- there are a few that are involved
22 in it. It is -- according to our policy, there is no
23 one that is designated. Inmates are not to have power
24 or influence over another inmate. There have been
25 various Islamic inmates that have led and taught.

1 Q. It sounds like for Muslims, if you want to
2 experience the programming that occurs after the
3 regularly scheduled Taleem service, you've got to commit
4 to being there for four hours total; is that right?

5 A. That is not right. When it's time to move
6 back to your housing unit, inmates who want to move can
7 go. They can go back to their housing unit. They don't
8 have to stay the entire time. And that is the way it is
9 in all programming, not just Taleem. Any service that
10 they have an out count after it, inmates are free to
11 leave after the original service and go back to their
12 housing unit. It's their option.

13 Q. I think you misunderstood my question. I'm
14 asking for the inmates who want to attend, not the
15 regularly scheduled Taleem service, but the whatever
16 Bible study equivalent occurs afterward, they have to
17 come to the Taleem service, they can't just show up for
18 the second part of it?

19 MR. WELBORN: Object to the form. Go ahead.

20 THE WITNESS: Ma'am, your misunderstanding is
21 this: There is not something within the Muslim group
22 that would be different from what they're originally
23 doing. They may run out of thoughts about a particular
24 subject and move on to the next subject, but it's all a
25 carry-over of what the original is. So there is not a

1 different -- shifting gears into a brand new realm or a
2 brand new topic in that second -- in the out count.

3 BY MS. MAPLES:

4 Q. Well, I think we might be running into
5 different definitions of terms here. It sounds like
6 what you're saying is that if it occurs on Tuesday for
7 the Sunnis, then it's Taleem. The inmates, the Muslim
8 inmates may not agree with you. They might have a
9 specific definition for what constitutes Taleem. So I
10 mean, you're saying that the Koranic studies occurs on
11 Tuesday. Well, are you saying that is also Taleem just
12 because it happens on Tuesday?

13 MR. WELBORN: Object to the form.

14 THE WITNESS: Any service, ma'am, that they
15 gather together, they have the liberty to be able to
16 have the service as they desire, within -- you know,
17 they agree. There's never been a disagreement. And
18 they practice their faith accordingly.

19 MR. WELBORN: Can we take a break?

20 MS. MAPLES: Sure. What would you all think
21 about doing lunch at 1:00? Is that too late for
22 everyone? We can go off the record.

23 (Recess observed.)

24 BY MS. MAPLES:

25 Q. Mr. Shonebarger, have you ever become aware

1 of a situation in which Trousdale inmates were
2 instructed that they were not permitted to purchase the
3 Koran from Union Supply?

4 A. That was brought to my attention.

5 Q. When you say it was brought to your
6 attention, what do you mean?

7 A. Inmates showed it to me.

8 Q. When was that?

9 A. I can't remember, ma'am.

10 Q. When you say that inmates showed it to you,
11 do you mean that you had no role in crafting that memo
12 or policy?

13 A. I did not have a voice. I was -- I had no
14 voice in it.

15 Q. Who would have crafted the policy about
16 purchasing religious texts, if not you?

17 A. I would presume that came from the assistant
18 to the warden. Potentially, the warden's secretary.

19 Q. Did you have conversations with anyone at
20 Trousdale about this inability for Muslim inmates to
21 purchase the Koran?

22 A. Immediately.

23 MS. MAPLES: I'm going to put a document on
24 the screen and also in the chat feature for the other
25 attorneys.

1 (Exhibit 1 was marked.)

2 BY MS. MAPLES:

3 Q. Mr. Shonebarger, do you recognize this
4 document in front of you as the memo that we've been
5 discussing?

6 A. Can you scroll down, please? I am familiar
7 with it.

8 Q. And do you see that at the top, it is
9 described as memorandum No. 18-043?

10 A. I see that.

11 Q. What is No. 18-043?

12 A. I would estimate that's 2018, the '18 is
13 2018, 43 happened to be an official memorandum from the
14 warden.

15 Q. Is it fair to say that these official
16 memoranda from the warden are given internal
17 identification numbers like this?

18 A. That's correct. That's my understanding.

19 Q. And you see that the date on this memo is
20 April 12th of 2018?

21 A. I see that.

22 Q. And if we scroll down, do you see that it
23 states: The following items cannot be ordered, although
24 you may check them out of the library?

25 A. Yes, ma'am.

1 Q. And do you see that underneath that sentence,
2 there are a series of religious texts?

3 A. I see that.

4 Q. Do you see that one of them is the Bhagavad
5 Gita?

6 A. Repeat what you're identifying, please.

7 Q. The third bullet down, the Bhagavad Gita.

8 A. Yes, correct.

9 Q. Do you see that the Torah is included?

10 A. Correct.

11 Q. And the Koran translation?

12 A. I see that.

13 Q. Do you see that the Bible is not included?

14 A. Correct.

15 Q. So inmates could purchase the Bible from
16 Union Supply, but they could not purchase other
17 religious texts from Union Supply?

18 MR. WELBORN: Object to the form.

19 THE WITNESS: It's important for me to
20 identify that ample supplies of Korans were donated to
21 the chaplain's office for free for the inmates, whoever
22 wanted to come and get them, an ample supply, as well as
23 Bibles. The Hindu text that you identified, several
24 copies were in possession at that time with an emphasis
25 on, there were only two inmates practicing that faith at

1 Trousdale who had their own texts.

2 BY MS. MAPLES:

3 Q. Mr. Shonebarger, you know that's not what I
4 asked, right?

5 A. Okay.

6 Q. Do you remember what I asked?

7 A. You asked if they could buy a Bible but not
8 buy the other items; is that what you asked?

9 Q. Yes.

10 A. That's correct.

11 Q. When this was brought to your attention, what
12 did you do?

13 A. I called the warden's secretary and said
14 we've got a problem.

15 Q. Did anyone explain to you the rationale for
16 this memo?

17 A. No.

18 Q. You didn't ask?

19 A. What I -- no, I did not ask. I don't
20 recollect asking that question.

21 Q. You weren't curious as to what the thought
22 process was behind banning all -- banning purchase of
23 all religious texts except the Bible?

24 A. Overall, yes, but I had a more pertinent
25 concern that I wanted to talk to them about.

1 Q. So you may have asked why they did this, you
2 just don't remember?

3 MR. WELBORN: That's what he said.

4 THE WITNESS: Yes, ma'am.

5 BY MS. MAPLES:

6 Q. Who was involved in those conversations that
7 I could ask if they remember?

8 A. We have a former employee that was named Ms.
9 Atwood who was in the role of the warden's assistant,
10 also known as a secretary, Beverly Atwood.

11 Q. Is she the only person you spoke to about
12 this memo?

13 A. I cannot remember everyone I spoke to about
14 it.

15 Q. Well, I am not asking everybody. I'm asking
16 if there is more than one person?

17 A. I'm confident that I spoke to the assistant
18 warden about it.

19 Q. Who was the assistant warden?

20 A. Yolanda Pittman.

21 Q. Was she involved in the drafting of the memo?

22 A. Uncertain.

23 Q. Did you speak to the warden about it?

24 A. I did not.

25 Q. Did you speak to anyone else about the memo?

1 A. Repeat your question, please.

2 Q. Did you speak to anyone else about the memo?

3 A. I answered inmate's questions about it.

4 Q. Which inmate's? Do you remember?

5 A. I do not.

6 Q. Are there other CoreCivic employees that you
7 spoke to about this memo?

8 A. I do not remember talking to any other staff
9 about it.

10 Q. Did you speak to anyone at TDOC about this
11 memo?

12 A. I believe I spoke to Director Darnell about
13 it.

14 Q. What did Director Darnell say about it?

15 A. It would need to be -- it would need to be
16 remedied.

17 Q. So he, like you, agreed that it was a
18 problem?

19 A. Absolutely.

20 Q. What did the Muslim inmates who brought this
21 to your attention say about it?

22 A. Well, they knew two things. Number one, they
23 know I have a storeroom full of Korans that they can
24 come and anyone can ask for one. And you don't have to
25 be a Muslim. Any inmate, Christian, Muslim, whatever

1 who wanted a copy of the Koran, we did not separate. So
2 they know that. And then number two, obviously, they
3 felt discriminated against.

4 Q. Do you remember what I asked?

5 A. You asked about what did I talk to the
6 inmates about.

7 Q. I said what did the inmates say about this,
8 not what you think they knew. I'm asking what they
9 said?

10 A. They said that they felt that it was an
11 injustice to have it not available.

12 Q. And did you agree with them?

13 A. I did agree with them.

14 Q. Can you say for sure if at this point time,
15 in April of 2018, there were copies of the Koran in the
16 library?

17 A. Absolutely. In the general library?

18 Q. Yes.

19 A. I do not know. I don't know for a fact.

20 Q. Do you ever make announcements of any kind of
21 to the full inmate population?

22 A. You're asking about 2500 inmates?

23 Q. Yes.

24 A. Are you asking formally or through the
25 correspondence? Are you talking about verbally before

1 them or in correspondence.

2 Q. Either.

3 A. A religious calendar would be considered
4 correspondence, which is posted throughout the facility.

5 Q. Are there any others?

6 A. Advisements of sign-ups, for example,
7 Ramadan. So there would be potential announcements
8 about an upcoming program.

9 Q. What else?

10 A. I think that pretty well covers it. I will
11 speak to a faith group of those that are in attendance
12 and answer questions and give updates.

13 Q. Have you ever spoken to the Muslim faith
14 group?

15 A. Yes, all the time.

16 Q. Have you ever called a meeting or spoken at a
17 Muslim service and apologized to members of the Muslim
18 faith group?

19 MR. WELBORN: Object to the form.

20 THE WITNESS: In my tenure at Trousdale, one
21 of the inmate workers has always been one of the inmate
22 facilitators of the faith group. So they have constant
23 access to me. If there is an advisement of things going
24 on within that particular faith, that would be shared
25 with others of that faith. So I've had that access in

1 my four-and-a-half years. I have stood before a group
2 that has been called out, like for Taleem or Jummah, and
3 advised of things that they would need to know
4 pertaining to their faith. I don't frame things in
5 terms of apology. If there is something that is
6 incorrect, we're going to make things right.

7 BY MS. MAPLES:

8 Q. So you're saying you haven't apologized,
9 meaning --

10 A. No.

11 Q. You haven't said I'm sorry, but you have
12 perhaps admitted to some kind of wrongdoing or some sort
13 of situation that perhaps shouldn't have happened?

14 MR. WELBORN: Object to the form.

15 THE WITNESS: In administrative oversight,
16 human error is always a possibility. And as a result of
17 that, to make things correct in compliance as, you know,
18 on a professional level.

19 BY MS. MAPLES:

20 Q. So you have had those discussions with
21 inmates of the Muslim faith?

22 MS. MAPLES: Object to the form.

23 THE WITNESS: I clarified that this would be
24 rectified.

25 BY MS. MAPLES:

1 Q. How many times have you made announcements to
2 or spoken to the Muslim faith group or members of the
3 Muslim faith group about human error on the part of
4 CoreCivic employees?

5 A. This would be the only one that I can ever
6 remember.

7 Q. How many times have you been accused of
8 discriminating against Muslim inmates?

9 MR. WELBORN: Object to the form.

10 THE WITNESS: I'm not clear on what you're
11 getting at, ma'am. I'm not clear on the question.

12 BY MS. MAPLES:

13 Q. How many times has a Trousdale inmate, who is
14 a member of the Muslim faith, accused you of
15 preferential treatment of the Christian religion or
16 discriminating against members of the Muslim faith?

17 MR. WELBORN: Object to the form.

18 THE WITNESS: I feel that is very vague. Are
19 you talking about walking by and saying something to me
20 or are you talking about a grievance or a litigation?
21 I'm not clear.

22 BY MS. MAPLES:

23 Q. All three.

24 MR. WELBORN: Object to the form.

25 THE WITNESS: I don't keep a record. I know

1 that obviously this case -- I know this case in
2 particular with Mr. Pleasant-Bey is, you know, the very
3 heart of the suit feeling like I discriminated or the
4 company or TDOC did. But otherwise, you know, guys can
5 be upset momentarily about something. But for the most
6 part, people realize I'm at the very bottom of the food
7 chain and there are layers of administrators and
8 leadership above me that are the final decision makers.
9 I am very carefully scrutinized, both by supervisors, by
10 audit tools, by contract monitors, by the chief chaplain
11 at CoreCivic and the director at Tennessee Department of
12 Corrections. So things are monitored accordingly.

13 BY MS. MAPLES:

14 Q. Well, back to my question, which was how many
15 times would you say that in passing, through grievances
16 or through lawsuits, members of the Muslim faith have
17 accused you of discriminating against them or of giving
18 preferential treatment to Christian inmates?

19 MR. WELBORN: Object to the form.

20 THE WITNESS: I would say minimal.

21 BY MS. MAPLES:

22 Q. You would say minimal?

23 A. Correct.

24 Q. Would you say more than ten times?

25 A. No. I don't know.

1 Q. Well, don't you become aware of complaints
2 about you that are filed in grievances?

3 A. It depends on who answers them. There's been
4 some that I have been asked to assist in an answer.

5 Q. Well, have there been more than ten or less
6 than ten?

7 A. Ma'am, I honestly can't tell you. I am not
8 trying to evade the question. I honestly can't say.

9 Q. Well, how many lawsuits have accused you of
10 preferential treatment for the Christian religion or
11 discrimination against members of the Muslim faith?

12 MR. WELBORN: Object to the form.

13 THE WITNESS: This is the only one.

14 BY MS. MAPLES:

15 Q. This is the only one?

16 A. The only one.

17 Q. How about in passing?

18 A. And they are saying what to me now?

19 Q. They are accusing you of preferential
20 treatment of the Christian religion or discrimination
21 against members of the Muslim faith.

22 MR. WELBORN: Object to the form.

23 THE WITNESS: I need to clarify.

24 MR. WELBORN: Ask her. I'm just objecting to
25 the form. You can answer the question if you can.

1 THE WITNESS: Inmates of 2500 can be very
2 angry. Something that can be said snarly or something
3 like that is part of the life of any staff member. I
4 honestly believe that with the Muslim inmates that have
5 been long-term, understand that something like this
6 memo, which was an administrative mistake and was not
7 generated from me, that I am not taking the blame. Put
8 it this way: They would look to me as being a problem
9 solver, go ahead and get things fixed as I did. So how
10 many inmates are angry with me or would say something to
11 me, I maintain my answer as minimal.

12 BY MS. MAPLES:

13 Q. What do you mean by minimal? I don't know
14 what that means. That's not a number.

15 A. That means few, very few inmates. It --

16 Q. So you can say --

17 A. There's not many.

18 Q. Well, I mean, how can you -- do you consider
19 ten minimal or do you consider ten a lot?

20 MR. WELBORN: Object to the form.

21 THE WITNESS: Rephrase the question, ma'am.

22 BY MS. MAPLES:

23 Q. Well, you're telling me that you can't tell
24 me. You have no idea if there's more than ten or less
25 than ten, but you know enough to say minimal. So I'm

1 just trying to figure out what minimal means to you.

2 A. There is not any kind of complaint requiring
3 action on my part. Guys can whine and complain or have
4 any number of attitudes. I don't internalize them, I
5 don't dwell on them. I move forward with policy and
6 procedure and giving everything I have to religious
7 rights and respond accordingly.

8 Q. Do you think that goes a long way to explain
9 what minimal means to you?

10 A. Yes.

11 Q. Okay, could you put it in maybe numeric
12 terms, like a number?

13 MR. WELBORN: She's trying to get you to
14 guess and you don't have to guess. If you don't know,
15 tell her you don't know.

16 THE WITNESS: I don't know, ma'am.

17 MS. MAPLES: I am sorry, if we could keep
18 this to objecting to the form, Joe, I'd appreciate it.
19 That's improper under the federal rules.

20 MR. WELBORN: He's told you about five times
21 he doesn't know. He doesn't --

22 MS. MAPLES: Joe, I am not arguing with you
23 on the record, but if he can say minimal, then he can
24 translate that into what it means in numerical terms.

25 MR. WELBORN: No, that's just not right.

1 MS. MAPLES: Joe, this is an improper
2 speaking objection and you need to limit it to the form.
3 Unless you are instructing the witness not to answer, in
4 which case we can talk about that.

5 MR. WELBORN: Trying to make a witness guess
6 when he's told you repeatedly he does not know is
7 improper.

8 MS. MAPLES: I am going to keep asking my
9 questions, Joe.

10 BY MS. MAPLES:

11 Q. Is it your testimony that, Mr. Shonebarger,
12 that you have absolutely no sense of the number of
13 complaints against you by members of the Muslim faith?

14 MR. WELBORN: Object to the form.

15 THE WITNESS: Like I said, you know, chatter,
16 discussion amongst inmates, is just -- that's what it
17 is. Things that are presented to me in a formal
18 capacity are responded to in a fair, firm and consistent
19 way according to policy, and with oversight from the
20 many layers of supervision that I have.

21 BY MS. MAPLES:

22 Q. Am I correct in thinking that your religious
23 faith personally is Christian?

24 A. That's correct.

25 Q. Do you have an opinion about the Muslim

1 faith, about its tenets?

2 A. You know, I'm a trained professional and I'm
3 there for the inmates. I'm there for their personal
4 needs, Muslim through all of the other. Everyone has a
5 right to believe as they wish and I am committed to
6 facilitating their faith within the parameters of safety
7 and security, the laws of the land.

8 Q. Do you have an opinion about the tenets of
9 the Muslim faith?

10 A. I'm not clear on what you mean by opinion of
11 their tenets.

12 Q. Do you know what the tenets of the Muslim
13 faith are?

14 A. I am not a scholar in the Muslim faith.

15 Q. Does that mean you don't know what they are?

16 A. I'm not thoroughly ignorant about Islam, but
17 I don't know everything about the tenets of their faith.
18 Can you be specific about what tenet?

19 Q. No. So here's what I'm asking: I am asking
20 if you know anything about them and you are telling me
21 you don't know everything about them. I'm just asking
22 if you know anything. So it sounds like you know
23 something about the tenets of Islam.

24 A. I know the basics.

25 Q. Okay. Do you have an opinion about them?

1 A. They're fine. They're good.

2 Q. That's your only opinion?

3 A. I don't know what more you're asking me,
4 ma'am. It's a venerated faith that I respect and I am
5 committed to being a professional to ensure these guys'
6 religious freedoms or rights are fulfilled.

7 Q. Have you ever heard inmates make statements
8 about your assessment of Islam?

9 A. No.

10 Q. Have you ever made statements about
11 Christianity being the one true religion or the only
12 religion that you support at Trousdale?

13 A. Negative.

14 Q. So if inmates were making those statements
15 about you, would you say they're confused or just wrong?

16 MR. WELBORN: Object to the form.

17 THE WITNESS: Rephrase your question, ma'am.

18 BY MS. MAPLES:

19 Q. If inmates are making statements about things
20 you've said in the past that I've just described, are
21 they just mistaken or confused?

22 MR. WELBORN: Object to the form.

23 THE WITNESS: I'm not a judge of their
24 motives or their thinking.

25 MS. MAPLES: Hey Joe, could you get back on

1 camera.

2 MR. WELBORN: No.

3 MS. MAPLES: Well, I mean, I would like to
4 have at least one of the people in the room with the
5 witness on camera. I think that's pretty standard. I
6 haven't made a big deal about how many people are in the
7 room, you know, but it's inappropriate to not be able to
8 see counsel that's in the room with the witness. Hello?

9 MR. WELBORN: I don't have a response, Janna.
10 If you've got questions to ask, I can get up and walk
11 around this room as much as I want.

12 MS. MAPLES: Well, I've never had counsel in
13 the room with the witness refuse to get on camera
14 before.

15 MR. WELBORN: I can take my myself off the
16 camera. Janna, I've done that in deposition before with
17 you.

18 MS. MAPLES: Not where you're in the room
19 with the witness physically.

20 MR. WELBORN: Do you have questions for the
21 witness? If you do, ask them and quit wasting time.

22 BY MS. MAPLES:

23 Q. What meals are provided for Muslim inmates at
24 Ramadan?

25 A. They have a predawn meal, then they have a

1 double meal after sundown.

2 Q. What is a predawn meal?

3 A. It's what is on the menu approved by the
4 company. It's basically the same meal as they would
5 have during the year.

6 Q. I'm asking what does it consist of?

7 A. I'm not certain what it is. It's approved by
8 a dietitian to meet all of the standards of a diet.

9 Q. Is it specifically for Muslims?

10 A. No, it's not specifically for Muslim.

11 Q. What about the double meal after?

12 A. The same thing applies.

13 Q. Do you know what halal foods are?

14 A. I do.

15 Q. What are they?

16 A. Halal means approved. They have standards
17 for slaughter. There are things that Muslims believe
18 they can't eat. And our diet at Trousdale suffices in
19 meeting that.

20 Q. What do you mean your diet at Trousdale
21 suffices to meet that?

22 A. The menu that we have at CoreCivic Trousdale
23 is halal.

24 Q. In what way?

25 A. We have an alternative tray that is available

1 for inmates to choose that meets all of the standards of
2 the halal diet.

3 Q. When you say all of the standards of a halal
4 diet, is that a vegetarian meal?

5 A. It's a fleshless tray.

6 Q. I am sorry, I didn't catch that?

7 A. It's a fleshless tray.

8 Q. What does that mean?

9 A. That means there would not be meat.

10 Q. Are there food service vendors that offer
11 halal meat?

12 A. Unknown.

13 Q. You've never asked if there are?

14 A. Our company, in its contract with the state
15 and with the proper dietary authorities, collaborate on
16 the meals, the diet -- or on the trays of the inmates.
17 And I follow the protocol that's laid out by the
18 leadership above.

19 Q. Have you ever asked if there is a food
20 service vendor that has halal meat available?

21 A. No, I have not.

22 Q. Do you know if anyone at CoreCivic has asked
23 if there is a food service vendor that has halal meat?

24 A. I don't know. I don't know if there would be
25 or not. Those decisions are made at our corporate

1 office, ma'am.

2 Q. Are there food items that can be purchased
3 through Union Supply?

4 A. There is food that is available through Union
5 Supply.

6 Q. What kind?

7 A. I'm uncertain. I know that there are kosher
8 and halal items, but I am not at all -- keep visibility
9 on those.

10 Q. I guess I'm asking something a little bit
11 more general. Is it primarily packaged food that is
12 available through Union Supply?

13 A. That's correct.

14 Q. Who is the food service vendor for Trousdale?

15 A. Trinity.

16 Q. Is there an exclusivity with Trinity?

17 A. Explain what you mean by that. I need
18 clarification.

19 Q. Can CoreCivic purchase food items from other
20 vendors or is it limited to only using Trinity?

21 A. I don't know. That's way above my pay grade.
22 I have no idea.

23 Q. Do inmates come to you with requests for
24 feasts?

25 A. Yes.

1 Q. How do you go about answering their
2 questions?

3 A. Depends on what the question is.

4 Q. Well, I mean, inmates have approached you
5 about halal meat after Ramadan, haven't they?

6 A. They have.

7 Q. What did you tell them?

8 A. We told them that they had a tray that is
9 available for their consumption.

10 Q. Does Trousdale do a Christmas meal?

11 A. There are meals that are done throughout the
12 year for the general population.

13 Q. Do you remember what I asked?

14 A. I think you just asked me if there is a
15 Christmas meal.

16 Q. Yes.

17 A. There is -- my confusion lies here. There
18 are numerous observances of different religions at that
19 time frame. I don't recollect it being called a
20 Christmas meal. I think it's more of a seasonal meal.

21 Q. Do inmates get a printed menu?

22 A. I believe upon request, they are allowed to
23 have one.

24 Q. Did the printed menu on Christmas day say
25 Christmas meal on it?

1 A. Unknown.

2 Q. Who would know the answer to that?

3 A. The assistant warden over food service.

4 Q. Who is that?

5 A. I think we have a vacancy. Assistant Warden
6 Ponds is now at South Central. I think that he was over
7 food service.

8 Q. So there is a vacancy, but Ponds is covering
9 it?

10 A. Ponds just left. It could be Assistant
11 Warden Vantell.

12 Q. Who is the current warden today at Trousdale?

13 A. Interim Warden Upton.

14 Q. Is he new to Trousdale or does he have
15 another position at Trousdale?

16 A. No, he currently is the interim warden. He
17 had been with us a couple of years ago as an assistant
18 warden.

19 Q. How long has Mr. Upton been interim warden?

20 A. Approximately six weeks, I suppose.

21 Q. Let's say there was a menu on Christmas day
22 with the title Christmas meal or something similar. Was
23 there meat on that menu?

24 A. You faded out on me. Is there what meat?

25 Repeat the question.

1 Q. Let's say there was a menu that had the word
2 Christmas meal or something similar printed on the top.
3 Did that meal contain meat?

4 MR. WELBORN: Object to the form.

5 THE WITNESS: It would be like any other day.
6 There is an alternative tray and there is a regular
7 tray. And regular trays oftentimes contain meat; the
8 alternative tray does not.

9 BY MS. MAPLES:

10 Q. So you're saying that for Christmas,
11 Trousdale didn't do anything out of the ordinary?

12 A. I think that the difference is maybe an
13 addition of a food item.

14 Q. What food item?

15 A. I'm uncertain of the menu, ma'am.

16 Q. Well, then how do you know there was an
17 addition of a food item?

18 A. That's historically what prisons do. They
19 would add a special dessert, something along that line.

20 Q. Okay, for Ramadan, what's the special
21 dessert?

22 A. There has been -- the way we have operated
23 the Eid for Ramadan is an additional entree.

24 Q. What was the additional entree?

25 A. I believe it has been a sausage for the other

1 tray, regular tray. And whatever the main entree on the
2 alternative tray, it would be enlarged.

3 Q. Is the sausage slaughtered according to
4 halal's requirements -- or not the sausage, I guess
5 whatever became the sausage, slaughtered according to
6 halal requirements?

7 A. The sausage is not.

8 Q. But that's the additional food tray that
9 Muslims are given for Ramadan?

10 A. They have the capability of getting an
11 alternative. It's also, to answer that question, some
12 Muslims don't hold to that faith tenet. They've got a
13 different faith tenet when it comes to meat. So some
14 adhere, some do not.

15 Q. Does Trinity food services offer halal meat?

16 A. They do not.

17 Q. Is there an Easter meal at Trousdale?

18 A. As stated earlier, there are seasonal meals.
19 Seasonal meals. And from a chaplain perspective,
20 whatever faith you practice, that would be considered
21 your special meal. But they're more seasonal.

22 Q. So there are special seasonal meals that
23 occur around December 25th and the beginning of April?

24 A. That's accurate.

25 Q. And those dates correlate roughly to

1 Christmas and Easter?

2 A. Yes, you know, Passover. I mean, there's an
3 innumerable number of religions in our world. And I
4 said 93 are in our state that are recognized.

5 Q. And these seasonal meals, the menu may or may
6 not say Christmas meal, Easter meals?

7 A. As I stated, I have no visibility of what the
8 menus say. I don't seek it. It's not important in my
9 work to be able to do that.

10 Q. Well, might it be important to individuals
11 who are not Christians, whether or not they're being
12 handed a menu that says Christmas meal or Easter meal on
13 it?

14 A. It's never been brought to my attention,
15 ma'am.

16 Q. That's not what I am asking.

17 A. It could or could not. I can't answer that.

18 Q. Does TDOC have a policy that outside
19 organizations are unable to donate food items?

20 A. That is correct.

21 Q. How long has that policy been in effect?

22 A. I'd say about two years, possibly three
23 years.

24 Q. What is the rationale behind that policy?

25 A. The rationale is, is that the foods, we are

1 uncertain who prepared the food, whether the food is
2 spoiled, whether the food is laced with drugs, whether
3 it could have -- contain contraband. With the
4 uncertainty of certification of the food, they do not
5 want made food, prepared food coming in the front door.

6 Q. Do inmates get care packages?

7 A. Clarify what you mean by a care package.

8 Q. Well, what do you understand a care package
9 to be?

10 A. Something mom put together and sent it in.

11 Q. Okay, do inmates ever get packages from any
12 other organization not from a family member?

13 A. Union supply.

14 Q. Do inmates ever get care packages from
15 religious organizations?

16 A. No.

17 Q. Do inmates ever get care packages that are
18 sponsored by religious organizations?

19 A. Let me retract the previous answer. There
20 was, for the general population, twice over the last 12
21 months, an organization that provided goodies, so to
22 speak, chips and M&M's of that type, to the entire
23 population. I guess I would classify that as care
24 package.

25 Q. So it contained food items?

1 A. Yes.

2 Q. Who donated it? What organization?

3 A. Forgive me. I can't remember the
4 organization.

5 Q. Was it a religious organization?

6 A. It is a faith-based organization.

7 Q. So twice within the last 12 months a
8 faith-based organization has sent the inmates care
9 packages containing food, which is donated?

10 A. Correct.

11 Q. Is there religious literature in the care
12 packets as well? Pamphlets, flyers, anything like that,
13 Bible verses?

14 A. Yes, ma'am.

15 Q. Do you remember the specific food items that
16 were in there? I think you mentioned M&M's.

17 A. I think there was a bag of marshmallows.
18 Goodies. Junk food. Comfort food. However you want to
19 designate it.

20 Q. Did that go through you as the chaplain?

21 A. It went through the other chaplain.

22 Q. I'm going to put another document on the
23 screen for you. Do you see that this is a memo dated
24 March of 2019 with the subject Ramadan 2019 guidelines?

25 A. I see the document.

1 Q. Are you familiar with this memo?

2 A. I am.

3 MS. MAPLES: So this is a collective exhibit.

4 It actually contains several different memos.

5 (Exhibit 2 was marked.)

6 BY MS. MAPLES:

7 Q. So I am going to scroll through and let you

8 see that. This is 2019 here. And then we have 2018.

9 Do you see that?

10 A. I do.

11 Q. And then do you see the third one, I guess is

12 also dated 2019?

13 A. I think this is dated -- the one in front of

14 me is dated 2020.

15 Q. Oh, okay. That's a typo on the third one,

16 then?

17 A. Yes.

18 Q. Can you describe these Ramadan guidelines

19 that are described in these memos?

20 A. Which one in particular, ma'am?

21 Q. Are they different?

22 A. Are they different from what?

23 Q. Each other.

24 A. I would have to have them side by side to

25 examine them.

1 Q. Well, let's look at the one for 2018. Could
2 you describe the guidelines in the 2018 memo?

3 A. Can I explain the guidelines? Is that what
4 you are asking me, can I explain the guidelines?

5 Q. Yes.

6 A. I mean, give a commentary on each number?

7 Q. Well, I mean, did CoreCivic comply with these
8 guidelines that are listed here in 2018?

9 A. Central office understands that CoreCivic
10 Tennessee does not have religious diets. They
11 understand that.

12 Q. What do you mean by does not have religious
13 diets?

14 A. We don't have kosher and halal diet. They
15 understand that. I mean, they've contracted with us
16 accordingly.

17 Q. Well, I thought you said you do offer a halal
18 diet?

19 A. The alternative tray is halal. The
20 alternative tray is halal.

21 Q. So what do you mean by TDOC or central office
22 understands we do not offer religious diets?

23 A. When it comes to the Eid feast, talk about
24 having a halal, halal meat, whatever, they know that we
25 have an alternative tray. We don't have their same

1 menu. We don't have their same food server.

2 Q. Who does TDOC use?

3 A. Aramark, I believe.

4 Q. Does Aramark offer halal meat?

5 A. They offer a kosher diet, I believe. This is
6 what I want to have understood: The relationship
7 between TDOC and CoreCivic Tennessee is such that we
8 don't have kosher or halal as a religious diet. We have
9 an alternative tray that meets the religious needs of
10 Muslims. So the offerings between the TDOC prison
11 versus the CoreCivic would be different. As you notice,
12 No. 2, to answer your previous question.

13 Q. Uh-huh. Do you see that it says: No outside
14 food items will be allowed from certified volunteers?

15 A. That's correct. That was your question.

16 Q. Can a Muslim be denied participation in the
17 Ramadan feast?

18 A. No.

19 Q. What if that inmate isn't fasting?

20 A. If they are not fasting, there has never been
21 a situation when they're not fasting that they have
22 requested to participate, to my memory.

23 Q. If an inmate is not fasting, can that inmate
24 still participate in the Ramadan feast?

25 A. I think you rephrased the previous question,

1 ma'am. And I don't remember in my experience that being
2 addressed as needing a response, an inmate. I don't
3 remember an inmate ever asking me that.

4 Q. Well, I am not asking if an inmate has ever
5 asked it. I am asking if there is any kind of policy
6 governing whether you have to fast in order to
7 participate in Ramadan?

8 A. I'm not sure. I would have to research it at
9 the time to be able to come up with the correct answer.

10 MS. MAPLES: I am going to put another
11 document on the screen. It will be Exhibit 3 to your
12 deposition.

13 (Exhibit 3 was marked.)

14 BY MS. MAPLES:

15 Q. Do you recognize this document?

16 A. Yes.

17 Q. What is it?

18 A. Basically the Ramadan plan for 2018.

19 Q. And did you author it?

20 A. I would say that I co-authored it.

21 Q. Who would you have co-authored it with?

22 A. The other chaplain and our assistant warden.
23 This is basically an echo of what came down from central
24 office, but put in, framed within the operational time
25 frames of our facility.

1 Q. What is a hot pink religious pass?

2 A. There was never a hot pink religious pass
3 that was submitted. This particular memo was an initial
4 draft -- was an initial draft. As you notice, it
5 doesn't say -- it didn't say memo or anything at the
6 top. Anyway, the pass would be, to answer your direct
7 question, would be a recognition. A pass made that the
8 inmate's stay in the housing unit and Tennessee
9 identification number to enable an inmate to participate
10 in a service.

11 Q. So there was no such thing as a hot pink
12 religious pass?

13 A. We changed colors. There was an objection
14 before we went to press, so to speak. There was an
15 objection on the color. And I don't make the passes. I
16 tell my inmate workers, here is the list, make the
17 passes. And they had made it in, probably an unwise
18 choice that would be an offense to some, on the color.
19 And we immediately did a cease and desist and went to
20 another color for the pass.

21 Q. So you had nothing to do with the choice of
22 color, it was somebody else?

23 A. That is correct.

24 Q. Was this memo ever released to inmates?

25 A. My recollection is this: I had mentioned to

1 you earlier, I've always had a Muslim inmate work for
2 me. And in this draft, I think he took it and shared it
3 before we went live with it. And it caused some
4 controversy among some. The thinking of some, from what
5 I have been told, was they felt that they were -- I was
6 suggesting that Muslims were gay. And in that
7 fluorescent color, depending on the eye of the
8 interpreter -- I wouldn't clarify it as pink. But
9 nonetheless, in the bright pink, some took offense. And
10 we immediately ceased operation of producing that and
11 went to another color.

12 Q. Did you write the memo, this draft of the
13 memo?

14 A. Yes, as I said, I co-authored it. But I was
15 oblivious to any kind of objection to the color and what
16 it meant to some people. So once being sensitive to the
17 fact that some would take offense, the decision was made
18 to change it.

19 Q. Do you see that No. 10 says: Inmates who are
20 participating in the fast shall not enter the chow hall
21 for lunch or receive a tray during remote feeding.
22 Anyone seen by staff breaking the fast during the day or
23 receiving a lunch tray will be removed from the Ramadan
24 2018 list.

25 A. That's correct.

1 Q. Can you explain that?

2 A. Yeah, there is insincerity in their faith
3 practice. Faith practice is you fast from sunrise to
4 sunset. There are some inmates that want four meals a
5 day. So they will take advantage of the mechanism of
6 Ramadan by which they can now sneak in and get a lunch
7 tray and have their fourth meal of the day. So that's
8 an insincere demonstration of their faith and they would
9 be removed from the predawn and double tray at sunset.

10 Q. What do you do to evaluate the sincerity of
11 Christians' faith?

12 A. Typically, you measure sincerity by
13 insincerity. And there is not anything within the
14 operations of Trousdale that that application would need
15 to be applied.

16 Q. So there is no need to evaluate the
17 insincerity of Christians, but there is a need to
18 evaluate the insincerity of Muslims?

19 A. What the inmates are telling us by going and
20 getting a lunch tray is that they're not fasting. So if
21 you're not fasting, that is all that -- that's a very
22 central value of Ramadan is the fasting. So there is no
23 need to continue in that practice by their obvious
24 demonstration of not partaking. So they will get their
25 three meals a day delivered in another format.

1 Q. Is that based on any recommendation from an
2 actual Muslim?

3 A. Is what -- is what a recommendation?

4 Q. Well, I mean, are individual practicing
5 Muslims outside of Trousdale, if they break the fast,
6 are they just ostracized and excluded from the rest of
7 the community during the Ramadan feast, or is this your
8 own feeling about what should happen?

9 MR. WELBORN: Object to the form.

10 THE WITNESS: There is no ostracizing. It's
11 -- that is absolutely not at all what is going on.

12 BY MS. MAPLES:

13 Q. Well, I'm asking you, what is your basis for
14 No. 10?

15 A. My basis is they are testifying by taking a
16 tray they are not participating in the fast.

17 Q. Is there any situation in which you take
18 Christians' testimony to determine what they're allowed
19 to participate in at Trousdale?

20 MR. WELBORN: Object to the form.

21 THE WITNESS: Ma'am, I've already answered
22 that question. There is nothing -- there is no
23 operation or practice or observance or anything like
24 that, that there would need to be.

25 BY MS. MAPLES:

1 Q. Right, well, I'm asking if, outside of
2 Trousdale, if a Muslim breaks a fast, they are excluded
3 from Ramadan meals? Do you know?

4 A. They're not going to get their tray predawn
5 or sunset.

6 Q. That's not what I asked.

7 A. Because -- well, I mean, okay. Rephrase the
8 question, please.

9 Q. What I asked is, if you know whether inmates
10 who break a fast during Ramadan are excluded from the
11 feast?

12 A. Not that I am aware of.

13 Q. But you just do it because you think it's
14 important to evaluate the insincerity of Muslims?

15 A. No, negative. What I'm saying is, is that
16 during the 30 days of Ramadan, if they violate their
17 fast during that 30 days, they will have to walk and get
18 their food submitted to them, given to them during
19 normal food service operation. Now, I have said a
20 couple of times that I am not aware of any inmate that
21 was then not able to participate.

22 The operation that we have had is the food
23 trays for the Eid is given to the entire population.
24 It's given to the entire population. We are --
25 Tennessee Department of Correction has had policy called

1 116.08, which says religious diets and religious feasts.

2 We are not governed by 116.08. We do not have it. We
3 are not bound by it. However, with Eid and it's timing,
4 our company has directed us to provide a double entree
5 for the population to also be enjoyed by the Muslims.

6 Q. Did you talk to any Muslim in formulating
7 this rule, No. 10?

8 A. Have I talked to Muslims? I mean, my entire
9 career. This is a tenet of their faith. You fast
10 during the day.

11 Q. That's not what I asked.

12 A. Certainly, I have. I've talked from, you
13 know, imams to inmates, inmates within the faith.
14 Everyone agrees. I mean, that's the program. That's
15 the religious tenet. That's how it's observed and
16 practiced. And if you're not serious about it, we're
17 going to remove you from it.

18 Q. So the imams --

19 A. This is the way it shakes out: If an inmate
20 comes to lunch and gets a lunch tray, he is eating four
21 times a day. He is not authorized to eat four times a
22 day. He is authorized to eat three times a day.

23 Q. I'm just asking if, in formulating No. 10 on
24 the memo that you co-authored, you consulted a Muslim in
25 writing it?

1 A. The consultation would have come from those
2 above me, in the ordinary practices of the faith. Those
3 above me would be the warden, would be CoreCivic, would
4 be TDOC and all of the religious experts in the faith.

5 Q. So No. 10, you didn't write that, somebody
6 above you told you to write that?

7 A. I'm the one -- I'm not clear on what you're
8 saying. Am I echoing a standard within the faith? Yes.
9 Yes. It's something I've learned. It's something that
10 is practiced. It's something in my expertise. And I
11 sent it to the population.

12 Q. Well, you testified earlier that you don't
13 know if individuals who are Muslims that break the fast
14 are then excluded from a Ramadan feast.

15 A. Okay.

16 Q. So I understand that you are saying the
17 standard is that one should fast. I'm asking where you
18 got this idea that for individuals who don't fast, they
19 can't have the feast?

20 MR. WELBORN: Object to the form.

21 THE WITNESS: Ma'am, Tennessee Policy 118.07,
22 religious diets and feasts. Trousdale Turner
23 Correctional Center it not bound by that policy.
24 Translated, we don't have feasts. As a result of an Eid
25 at the end of Ramadan, what our company has decided to

1 do is to facilitate this for the entire population.

2 There is not a feast. It is a double portion entree.

3 Everybody gets it, whether you violated a fast because

4 you're Muslim or whether you are a satanist or Wicca or

5 Baptist. So it doesn't apply. It doesn't apply.

6 In my history as a chaplain in my 20th year,

7 those that have violated in jurisdictions outside of

8 Tennessee, I never forbade anybody from participating in

9 an Eid. But that does not apply to CoreCivic Tennessee

10 Trousdale Turner Correctional Center.

11 BY MS. MAPLES:

12 Q. So any inmate can get the double portion for

13 Ramadan; is that right?

14 A. The entire population, if they choose to eat

15 that day, receive it.

16 Q. So you would go to breakfast, go to lunch and

17 then get a double portion for dinner; is that right?

18 A. The double portion component -- Ramadan is

19 over. The double portion at night is over, okay? We

20 have provided a double entree for the entire population

21 at, you know, one of the meals, whether it be lunch or

22 dinner.

23 Q. Okay, so everybody can get the double

24 portion, even inmates who are not Muslim?

25 A. That's correct.

1 Q. But Muslim inmates who violate their fast are
2 removed from the Ramadan list?

3 A. Ramadan is a period of 30 days. The general
4 population is after the 30 days. That meal is after the
5 30 days. Ramadan is over. We do not give inmates four
6 meals a day. We give inmates three meals a day. If an
7 inmate says, I have signed up for Ramadan to get one
8 meal predawn, two after sunset, that's three meals.
9 There will be no lunch meal because they are fasting.

10 So if they testify to us through the receipt,
11 their willful receipt of the tray, they are not
12 participating, we will take them off so they will
13 receive their meals accordingly. They are not at all
14 forbidden from praying during a Ramadan prayer. They
15 are not at all forbidden from reading the Koran. They
16 are not at all forbidden from taking advantage of
17 whatever programming or operational mode may be. There
18 is prohibition.

19 I will also mention that there are Muslim
20 inmates, because of diabetics or other medical needs,
21 that cannot follow that protocol and will eat during the
22 day, but they are still sincere in their faith.

23 Q. Well, do inmates who are allowed this double
24 portion at the end of the day, do they have to abstain
25 from lunch?

1 A. Yes.

2 Q. How do you track that? They can't be Ramadan
3 list because you have to be one of the six Islamic
4 religions, right?

5 A. That's correct, we have a list. We have a
6 list of inmates that have signed up for Ramadan. And
7 staff monitors the allocation of the trays. And if an
8 inmate has taken a lunch tray, it is reported and the
9 inmate would be taken off.

10 Q. I mean, I'm trying to figure out how this
11 would be available to all inmates if all inmates can't
12 be on the Ramadan list?

13 A. Because there is no feast. There is no
14 feast.

15 Q. That's not what I asked. I'm asking -- you
16 said all inmates are allowed a double portion at dinner,
17 that it's available to all inmates. But you're --

18 A. I said inmates that are signed up for
19 Ramadan. The Muslim inmates that are signed up for
20 Ramadan will get the double portion at night because
21 they don't get a lunch. They get a breakfast, no lunch,
22 two dinner.

23 Q. So it's not available to all inmates, the
24 double portion?

25 A. No.

1 MR. WELBORN: Can we take a break?

2 MS. MAPLES: Sure.

3 (Recess observed.)

4 BY MS. MAPLES:

5 Q. Mr. Shonebarger, before the break, you will
6 recall we've been talking about the feast surrounding --
7 or excuse me, the meals surrounding Ramadan. I'm going
8 to show you another document.

9 (Exhibit 4 was marked.)

10 BY MS. MAPLES:

11 Q. Do you see that the title of this document is
12 affidavit? Oh, I'm sorry, I don't have it up there.

13 A. I see it.

14 Q. Have you ever see this document before?

15 A. Can you scroll through the entire document,
16 please? Scroll back to the top, please. I'm not
17 positive that I've seen this.

18 Q. Okay, well, if you'll look with me, do you
19 see that the first three paragraphs concern food during
20 Ramadan?

21 A. Scroll down so I can see the third paragraph
22 in whole, please. Okay.

23 Q. Okay, can you see that the first three
24 paragraphs of this affidavit concern food during
25 Ramadan?

1 A. I can see that.

2 Q. Do you see that Mr. Pleasant-Bey has repeated
3 a statement by you in there? I will read it. It says:
4 I spoke to the legal counsel for CoreCivic America and
5 they said absent a court order demanding that we have to
6 give you traditional halal food at the Eid al-Fitr and
7 Eid al-Adha feasts, we're not going to give it to you
8 because it's not important to the court.

9 A. Repeat your question, ma'am.

10 Q. Do you see that he has restated or repeated a
11 line from you that I just read?

12 MR. WELBORN: Object to the form.

13 THE WITNESS: I see what is written down,
14 ma'am.

15 BY MS. MAPLES:

16 Q. Do you recall having discussions with Mr.
17 Pleasant-Bey?

18 A. That is a false statement, ma'am. That's a
19 fault quote.

20 Q. That's not what I asked. I asked, do you
21 recall having discussions with Mr. Pleasant-Bey?

22 A. I don't.

23 Q. You've never had discussions with Mr.
24 Pleasant-Bey about halal foods?

25 A. Not in this context.

1 Q. In any context?

2 A. I suppose I have.

3 Q. How many times?

4 A. Not about court systems in the response to
5 halal food.

6 Q. How many times have you had discussions with
7 Mr. Pleasant-Bey about halal foods?

8 A. I think upon his introduction into the
9 facility, I advised him of the CoreCivic Tennessee
10 standard on policy and the absence of Policy 116.08
11 dealing with religious diets and feasts.

12 Q. How many times have you had discussions with
13 Mr. Pleasant-Bey about halal foods?

14 A. Probably once.

15 Q. That's the only time?

16 A. Correct, that I can recall. Once that I can
17 recall.

18 Q. So when he says that these discussions
19 happened in 2018 and 2019, that may have happened, you
20 just don't remember?

21 A. No. I never said anything like that. Once
22 he began his grievance process in his litigation, he
23 quit talking to me. Which is, you know -- he quit
24 talking to me. So there are -- like I've stated
25 repeatedly, there is a Muslim inmate clerk that works

1 for me. And discussions about operations and protocols
2 and so forth like that, could have been repeated out of
3 context or whatever from them or from another Muslim.
4 But I want to emphasize, once Mr. Pleasant-Bey entered
5 into his grievance litigation process, conversation with
6 me was over.

7 Q. I guess my question still is, how many
8 conversations have there been with Mr. Pleasant-Bey
9 concerning halal foods or foods for Muslims around
10 Ramadan?

11 A. Only one that I can recall.

12 Q. Okay, so there may have been more, you just
13 don't remember?

14 A. That's probably an accurate statement.

15 Q. The conversation that you can remember is the
16 one that occurred in 2018 upon his entry into the
17 facility; is that right?

18 A. I would have to verify when he entered the
19 facility. That sounds accurate. And of course, there
20 were many subjects discussed with him upon his entry
21 into the facility to include that.

22 Q. Have you had offers to donate food by Islamic
23 groups?

24 A. No.

25 Q. So in No. 2, where Mr. Pleasant-Bey states

1 that the facility would not allow foods to be donated,
2 you're saying that he is not referring to any specific
3 offer to donate that you are aware of?

4 A. There were zero offers.

5 Q. Do you see where he says: They allow Men of
6 Valor and Kairos to donate food and religious items to
7 Christian inmates every year?

8 A. Kairos has never set foot at Trousdale Turner
9 Correctional Center. Men of Valor has not donated food
10 in the history of the prison.

11 Q. What are the plans for food during Ramadan
12 this year?

13 A. I think you asked that question earlier. We
14 follow the menu that is submitted by Trinity with the
15 agreement of our company.

16 Q. Well, I don't recall asking about 2021. I
17 think we've been discussing '18, '19 and '20. So are
18 you saying that it's the same this year, there is no
19 change to it?

20 A. One of the things that's happened in 2021 is
21 the second chaplain, Quinten Fletcher, is running point
22 on Ramadan. And we have divided oversight. So I can't
23 say that I am completely up-to-date on every detail of
24 the Ramadan plan. If I needed to be asked, I would
25 query him or the assistant warden to get an answer.

1 Q. Are you aware of anything? And if you're
2 not, that's okay. Are you aware of anything, though,
3 that is different?

4 A. I am not.

5 Q. Okay.

6 A. I am not aware.

7 Q. Do you see No. 9? I will let you read it.

8 A. What is your question, ma'am?

9 Q. Is Mr. Pleasant-Bey's recitation of what's
10 occurred accurate?

11 A. Thoroughly inaccurate.

12 Q. What word did you use? What inaccurate?

13 A. Thoroughly.

14 Q. Okay, tell me which part is inaccurate.

15 A. When he requested his Arabic studies, his
16 language component, that did not include a pod. That
17 did not include having a pod. The religious
18 accommodation would reflect that. On a separate
19 inquiry, in an informal presentation, he said that he
20 wanted to run a program in a pod like what Men of Valor
21 has.

22 There's many things to say about this and I
23 want to be as concise as I can. Number one, Men of
24 Valor has volunteered to do mentoring re-entry
25 programming for inmates. There are zero Muslim groups

1 submitting an offer to have inmates together for
2 programming. In addition, I can't even get volunteers,
3 and I am required by policy to recruit, and I have, but
4 we can't even get volunteers.

5 So what that means is, Mr. Pleasant-Bey
6 wanted to write his own program, his own curriculum, and
7 be the oversight of that particular Islamic group.
8 Inmates cannot have power over other inmates. It's not
9 a recognized -- there wasn't anything that was formally
10 requested for consideration. One of the things in the
11 religious accommodation are volunteers that are willing
12 to facilitate a program. He had none. He wanted to run
13 it himself.

14 So his inquiry, just a verbal or maybe just
15 on an inmate request form, not any formal documentation,
16 I think may have found its way to the Assistant Warden
17 Pittman. And, you know, the answer is obvious. Inmates
18 don't run programs, don't oversee men in a pod. So
19 that's thoroughly inaccurate.

20 I want to continue. There was his original
21 religious accommodation. Central office, there was a
22 delay. There was a delay in response. Not -- not long,
23 but there was a delay. I cannot explain why there was a
24 delay from Reverend Darnell. I can't speak for him.

25 Q. Do you know how long the delay was?

1 A. I would say maybe six weeks, two months of a
2 delay. Now, with that formal request remained the
3 answer that you're free to include Arabic language study
4 in your programming, your existing programming, that you
5 and I have spent the first part of the day discussing
6 the opportunities up to four hours twice a week.

7 Let me continue. Okay, Chaplain Simic making
8 a statement that he was aware that they earned a class,
9 was denied as a stand-alone program would be accurate,
10 as a stand alone program. Where it says TTCC has a
11 Hebrew Greek Bible study for Christians, but my request
12 for a Koranic Arabic studies group was denied. Let me
13 pause there.

14 When I arrived in November of '16, an inmate
15 named Song, S-O-N-G, a Korean inmate who had done this
16 class at a TDOC prison. Accommodations do not transfer
17 from one prison to the other. Every prison has a right
18 to entertain the religious accommodation request by the
19 inmate. Mr. Song submitted a religious accommodation
20 for this class. I recommended disapproval because it's
21 in violation of policy.

22 The policy says, in 118.01, that programming
23 must be a religion. This class was not a religion.
24 It's not Baptist, Lutheran, Muslim, Satanist, Wiccan.
25 It's not a religion. It's a class. So as a result of

1 it being a class, it did not meet the criteria of the
2 policy. I recommended denial. It went up through -- my
3 assistant warden agreed. My warden agreed. It was sent
4 to central office. The director at the time was Deborah
5 Thompson. Deborah Thompson approved it. It doesn't
6 matter what my opinion is, she is the chief chaplain.

7 So the class went into effect. It is not
8 religious. It is not a religion -- let me clarify. It
9 is not a religion. There are many -- there were many
10 Nation of Islam and Muslim inmates that attended that
11 class. It was open for anybody. So there was no
12 accommodations, other than time and space. In other
13 words, they got a day, Thursday afternoon on the
14 calendar, to have their class. There was no request for
15 audio visuals, for laptop, for T.V., for writing
16 materials. Nothing. There was no request. There was
17 nothing.

18 So the inmate created his own curriculum and
19 I would ask just to review that it wasn't a violation of
20 safety and security, trying to incite, you know, a mob
21 or a group, anything like that. So on those very loose
22 perimeters, it was tough.

23 Now, in like manner, I told Mr. Pleasant-Bey
24 that your Arabic is not a religion. However, you want
25 to be able to teach the Koran in Arabic and you want men

1 to learn Arabic. It's a higher standard within the
2 tenets of Islam. I said, you can do that either in
3 Taleem or after prayer in Jummah. And you have up to
4 four hours in each program, total of eight hours a week,
5 that you can offer this.

6 So when the religious activities committee
7 reviewed his request that I recommended this
8 disapproval, assistant warden agreed disapproval, the
9 warden agreed disapproval. It went to a TDOC central
10 office and chief Chaplain Darnell agreed disapproval.

11 Let's see here. He said that I should bunch
12 it together and that is not my terminology whatsoever.
13 And ma'am, I want to emphasize, for many months now,
14 they've been teaching Arabic. This is a dated set of
15 documents and circumstances. We have -- they have moved
16 far past this and are doing the Arabic class with no
17 objections by Chaplain Shonebarger or the
18 administration. That's all the more I have to say about
19 it.

20 Q. Is the chapel currently fully booked?

21 A. We're still in COVID protocol.

22 Q. Before the COVID protocol began, was the
23 chapel fully booked?

24 A. I would have to go back and verify it.

25 Q. You don't know?

1 A. The only potential opportunity I would have
2 would be to open up evening programming. But the
3 wardens had concerns about movement in the dark. And
4 because of that, that falls within the loop of concerns.
5 So there wasn't evening programming. You know, for a
6 period of time there was no evening programming.

7 Q. During COVID protocols, is the chapel fully
8 booked?

9 A. No.

10 Q. So could there be more gatherings or events
11 in the chapel than there currently are?

12 A. Certainly.

13 Q. Someone would just need to submit a request?

14 A. I'm the point of entry, that's correct.

15 Q. So if a Muslim inmate said, I want the
16 equivalent of a Bible study that is separate and apart
17 from Jummah or Taleem, would that request for time in
18 the chapel be approved or denied?

19 A. They are group accommodations. If he's
20 asking for a group, it would be an evaluation: We
21 already have a group, why do we need a new group? So
22 then I would ask what is not being facilitated in the
23 potentially eight hours of the week that you have that
24 you could not study, look at, examine, this particular
25 topic, at least on a rotating basis, if necessary.

1 Q. I mean, you've described the difference
2 between, you know, a service and a study, right?

3 A. What I'm saying is for 200 inmates -- for 200
4 inmates to have two programs a week with up to four
5 hours each is sufficient to be able to address, study,
6 discuss, the subjects that they want. If there was ever
7 a concern that the volume of material surpasses meeting
8 opportunities, we would take a look at that. That has
9 never been addressed to me.

10 Q. Are you familiar with any Muslim or Islam-
11 based vendors?

12 A. I am.

13 Q. And what are those?

14 A. Probably the most recognized is Halalco.

15 Q. Okay, have you ever purchased or known of
16 anyone at Trousdale to purchase things from Halalco?

17 A. Through the mechanism of the chaplain
18 department, not that I remember.

19 Q. No, through any mechanism?

20 A. Unclear. Unsure. I don't have visibility.
21 Let me explain it this way: If an inmate happens to get
22 a catalogue or a family who advise a particular item, an
23 inmate could submit a trust fund withdrawal to a
24 particular organization saying, I want this money sent
25 to this organization for the procurement of this

1 particular item.

2 That would be outside the protocol, the
3 policy. Now, has that happened? I can't say with
4 certainty. I would probably have a fear of that
5 bypassing end run around the system probably. Probably
6 has happened. I'm done. That's the end of my
7 statement.

8 Q. When you say you're familiar with Halalco, in
9 what sense are you familiar with it?

10 A. As I said, I've been a chaplain 20 years, so
11 in other jurisdictions, I've had visibility of them.

12 Q. What about Medina?

13 A. Yes, I'm familiar with Medina.

14 Q. What about the Islamic Book Store?

15 A. Yes, I'm familiar with them.

16 Q. Are there any others?

17 A. I am sure there are. I didn't come prepared
18 to quote them all to you.

19 Q. Are there any situations in which inmates or
20 that you, through the chaplain's office, purchased items
21 from any of those three vendors?

22 A. There has not been a need to do that. And
23 the biggest reason from a department standpoint, is I
24 think I do a superior job in acquiring donations. I'm
25 good at it. I'm good at begging. So we've got a lot of

1 religious organizations, Muslim religious organizations
2 that are willing to help with costs. And I've been able
3 to get a number of things that has been beneficial, you
4 know, for our Muslim population.

5 Q. What Islamic organizations have been willing
6 to donate?

7 A. AMANA is one. I don't have the list.
8 There's been several. I have it in my office. We all
9 have a very cordial, professional relationship. They
10 especially appreciate my desire to expand the faith and
11 to facilitate the requests of the inmates.

12 Q. Are any of those vendors that I just
13 mentioned TDOC approved?

14 A. Our authorized vendor by Tennessee Department
15 of Correction is Union Supply.

16 Q. Well, I mean, I guess that's not entirely
17 what I'm asking. I'm asking if TDOC has approved any of
18 these other vendors in any context that you are aware
19 of?

20 A. No. The answer is, it's Union Supply. Now,
21 as with 93 religions within the state, and through the
22 mechanism of an individual accommodation request or a
23 group of accommodation requests, if an individual faith
24 item or a group, faith group item is not available
25 through Union Supply, then our policy, Tennessee policy

1 says that the chaplain is then to explore opportunities
2 for facilitation. I would find the facilitation. I
3 would then submit it up my chain of command, assistant
4 warden of treatment, to the warden, to get approval for
5 procurement.

6 Q. So they can be approved, and by they --
7 strike that. So Halalco, Medina and the Islamic Book
8 Store could be approved on a case-by-case basis, but
9 you're not sure if they are -- or receive any kind of
10 blanket approval --

11 A. They don't.

12 Q. -- from TDOC?

13 A. They don't. Not to my knowledge, no. I'll
14 repeat, Union Supply is the vendor.

15 MS. MAPLES: Joe, are you ready to do a
16 lunch?

17 MR. WELBORN: That's good with me.

18 (Luncheon recess observed.)

19 BY MS. MAPLES:

20 Q. Mr. Shonebarger, at any time since you've
21 been at Trousdale, has Trinity been able to purchase
22 halal foods from a separate Islamic vendor?

23 A. I have no idea.

24 Q. Since you've been at Trousdale, have halal
25 meats ever been served?

1 A. Served to who? Served under what
2 circumstances? I'm confused about that.

3 Q. Any circumstances.

4 A. I think possibly the first year that I was
5 there, in violation of policy, there may have been.

6 Q. In violation of what policy?

7 A. CoreCivic TDOC policy.

8 Q. In what manner in violation of policy?

9 A. Well, if I remember right, I think that food
10 service director at the time had brought some food items
11 in for the Muslim inmates.

12 Q. Okay. So the food service director brought
13 food items in for Muslim inmates; is that right?

14 A. I don't know that for certain. I think that
15 could have been a possibility. She has long since been
16 moved on.

17 Q. Well, I mean, you say in violation of policy,
18 but I thought you said that the policy about bringing in
19 outside food items has only been around for two or three
20 years?

21 A. That's correct. That's correct. So when I
22 talk about the violation -- I beg your pardon for
23 interrupting, was your statement complete?

24 Q. When you say in violation of policy, what
25 policy were you referring to, then?

1 A. I'm referring to -- we are not bound by
2 Policy 116.08, religious diets and feasts.

3 Q. So you have a policy, but you're not bound by
4 the policy?

5 A. We're not bound by that policy. We don't do
6 religious feasts or religious diet. And you know, we
7 spent those questions this morning, you know, talking
8 about that. So the food service director had brought in
9 some items. I think it would have been five Ramadans
10 ago by now. And I can't remember what it was.

11 Q. So you all have a policy of not following
12 TDOC policy?

13 A. Well --

14 MR. WELBORN: Object to the form.

15 THE WITNESS: No, what I said was, is that
16 CoreCivic Tennessee is not bound by Policy 116.08,
17 religious diets and feasts. So there was something
18 facilitated by the food service director that -- you
19 know, that didn't need to be done because we're not
20 bound by that policy.

21 BY MS. MAPLES:

22 Q. So you also said that her bringing in food,
23 halal foods for the Muslims, was a violation of policy.
24 So I'm trying to figure out what policy that is. I
25 understand that it's your position that you don't have

1 to follow TDOC policy, but what policy was violated?

2 MR. WELBORN: Object to the form.

3 THE WITNESS: That's the one I'm referring
4 to.

5 BY MS. MAPLES:

6 Q. How does it violate if it doesn't apply to
7 you?

8 A. Okay, I can stand corrected on my choice of
9 words, violating.

10 Q. Okay, so then what did she do if she didn't
11 violate policy?

12 A. She acted independently. She acted
13 independently outside of the religious service
14 department and board.

15 Q. And you don't know anything about the
16 mechanism by which she was able to bring in outside
17 food?

18 A. As far as I know, she could have brought just
19 in person. I do not know. And I was not present at the
20 serving of that food.

21 Q. Do you all ever do things that you're not
22 required to do by a policy?

23 A. Not that I am aware of.

24 Q. Well, I mean, are you required by policy to
25 have a Christmas meal?

1 A. No.

2 Q. But you all do a Christmas meal, right?

3 A. Ma'am, I had mentioned earlier that I don't
4 have visibility of how the menu is printed. And there
5 are many religions in that time frame of December, you
6 know, the November, December, January time frame. And
7 that what does get served is typically periodical, with
8 an addition of a food item or a dessert or something
9 like that.

10 Q. Is that the winter solstice meal?

11 A. Why not?

12 Q. Do you have Bible verses in your office?

13 A. Do I have Bible verses?

14 Q. Yeah.

15 A. Well, I've got Bibles.

16 Q. Do you have Bible verse like on a poster or
17 written on a plaque on your desk?

18 A. I have one on my desk.

19 Q. Have you ever pointed to it or gestured to it
20 while speaking to a Muslim inmate?

21 A. Not to my recollection.

22 Q. Is it possible that you did?

23 A. I don't believe so.

24 Q. But you don't remember?

25 A. I would say I didn't do it. That's not the

1 way that I operate.

2 Q. Have you ever quoted Bible verses to Muslim
3 inmates?

4 A. No. It's not my position to proselytize to
5 legitimize one faith over another. I am all business.
6 I am there to represent 93 religions. I care about
7 every single individual, every single man, his family,
8 his religion and to facilitate it within the scope of
9 policy, practice and the law.

10 Q. Do you know anything about the contract
11 between Trinity and CoreCivic?

12 A. I do not.

13 Q. Are you familiar with special socks or
14 slippers called the kuffain?

15 A. I really don't know.

16 Q. Do you know what I'm referring to if I use
17 the word kuffain?

18 A. Vaguely.

19 Q. Okay, explain to me what your understanding
20 of kuffain are.

21 A. It would be something that would be worn
22 during prayer.

23 Q. By which individual?

24 A. I beg your pardon.

25 Q. By which individual?

1 A. I don't know what you mean by what
2 individual, ma'am.

3 Q. Well, I mean, do Christians wear kuffain or
4 are they specific to Muslims?

5 A. Well, you know, according to RLUIPA, if you
6 have a sincerely held belief, any religion can wear
7 anything they want.

8 Q. Do you think that's what I mean?

9 A. I do.

10 Q. Okay, well, what I'm asking is, as chaplain,
11 the person who is in charge of handling religious
12 accommodation requests at Trousdale, what your
13 understanding is of which faith group at Trousdale has
14 requested the kuffain?

15 A. I know Mr. Pleasant-Bey did.

16 Q. Okay, so is it your understanding that they
17 are somehow related to the Islamic faith?

18 A. Can be.

19 Q. Do you know of them to be associated with any
20 other faith?

21 A. Ma'am, I'm not an expert on every faith
22 tenet. I have to do research and consult subject matter
23 experts.

24 Q. Well, I mean, you got a request about the
25 kuffain, so what research did you do?

1 A. It was not on the individual faith item or
2 the group accommodation recognized by Tennessee
3 Department of Correction.

4 Q. So you didn't do any other research other
5 than that?

6 A. I mean, that's policy. That's all the more I
7 need to do. The request was made. And I am not the
8 final authority on it. I am the point of entry. I
9 elevate it to those in Tennessee Religious Activity
10 Committee who is comprised of experts who consult imams.
11 So I am the point of entry. I did not see it as
12 authorized property. And as a result of not seeing it,
13 I think my recommendation was no. It went through our
14 facility. And the religious activity committee acted
15 and decided upon.

16 Q. Do you have the ability to approve inmate
17 personal property items that are not listed on what is
18 permitted by the TDOC religious property item memo?

19 A. I do not have that authority.

20 Q. Does anyone at CoreCivic have that authority?

21 A. No one has that authority. We are bound by
22 contract to our customer.

23 Q. What about prayer oil? Do have any authority
24 in terms of prayer oil, or is that all determined by
25 TDOC policy?

1 A. It's all predetermined by TDOC policy.

2 Q. If you received a request concerning prayer
3 oil or the kuffain that was made by a group of inmates
4 as opposed to an individual inmate, let's say that they
5 used these items just during a service, do you have
6 authority to grant those requests, or is that determined
7 by TDOC policy?

8 A. Okay, develop the question again about the
9 prayer room.

10 Q. So items like the kuffain and the prayer oil,
11 which you have testified for inmates personal property
12 are determined by TDOC policy. If a faith group came to
13 you and said, well, we want to use these items just
14 during our service in the chapel, do you have the
15 authority to grant those requests or would that be
16 determined by TDOC policy as well?

17 A. They do use prayer oil during their services.
18 Prayer oil is available through Union supply,
19 Tennessee's vendor. They do use prayer oil. The other
20 item, since it's not on the authorized religious
21 property, their option would be to file a grievance,
22 state their case on why or litigation on why they need
23 it and to be able to justify it.

24 Q. I'm just trying to figure out who has the
25 power over certain situations, right? Any religious

1 item that is not permitted on the inmate personal
2 property list, you know, for religious items, but a
3 group wants to purchase for use during a service, do you
4 have the authority to grant the purchase of that item
5 during a service?

6 A. Okay, first of all, I want to mention that
7 when it comes to a group property, the facility has a
8 responsibility to facilitate it, to procure it. It's
9 not an individual's responsibility to purchase for the
10 group. That is our responsibility to facilitate it for
11 procurement.

12 Now, an individual item is an individual. If
13 there is something that is not on the individual
14 property list, the point of entry would be an
15 individual, a religious accommodation request. It would
16 be submitted to me as the chaplain, would be reviewed,
17 would go to the assistant warden for input. That's not
18 the final decision. They could say no. I could say no.
19 They could say no. It goes to the warden, he could say
20 no. Then it goes to the religious activities committee
21 and they make a decision on whether they want to modify
22 the standing policy or deny.

23 Q. So you can, in your own authority, approve an
24 item for use by a certain faith group during their
25 services that is not on the inmate religious items

1 personal property list?

2 A. If something would be brought in that they
3 have that may not be on the list, that I'm not cognizant
4 of, I guess they would use it. Technically, it would be
5 considered religious contraband because it's not
6 authorized. So I cannot testify to what the property is
7 of every inmate in his cell, in his property box. I
8 have no visibility of that. And if something is brought
9 out and it's passed -- it's gone through security into
10 the building and they didn't catch it and I didn't
11 notice it, I guess they're using it.

12 But as far as, Chaplain Shonebarger, can we
13 get this and do it in our service when it's not on the
14 religious policy memo, I don't have the authority to say
15 yes or no. It has to be properly screened, submitted
16 and decided upon.

17 Q. If you say yes and the people above you at
18 CoreCivic all say yes, does it automatically then go to
19 TDOC?

20 A. The only CoreCivic employees that have a say
21 is the chaplain, assistant warden of treatment and the
22 warden. They could all say no, submit it to TDOC, TDOC
23 says yes, and it's the law.

24 Q. I just asked if everyone said yes. I mean,
25 if you don't want to answer my questions, don't, but

1 we're going to be here the rest of the day. I mean, I
2 can let you out early or we can stay until 6:00. I
3 mean, it's up to you guys. I'm asking if everyone says
4 yes, does it then go to TDOC?

5 A. Yes.

6 Q. So does it go to TDOC for ratification and
7 you're allowed to put it into practice after CoreCivic
8 approves it or does it have to be approved by TDOC
9 first?

10 A. CoreCivic does not have a part of it. The
11 chaplain, the assistant warden and the warden speaks on
12 behalf of CoreCivic. Then it is submitted to the
13 religious activity committee at Tennessee Department of
14 Correction. And they round table it, vetting it with
15 subject matter experts in faith tenets and make the
16 decision. And then they advise the facility, the
17 warden, they advise the warden what that decision is. I
18 usually get copied on the reply.

19 Q. Are inmates permitted to have CD players?

20 A. With the warden approval, I believe so.

21 Q. Okay. Do any inmates at Trousdale have CD
22 players?

23 A. I don't know.

24 Q. Have any inmates ever come to you requesting
25 that they be permitted to purchase CD players?

1 A. For themselves?

2 Q. Yes.

3 A. It could be a possibility, but I would
4 redirect them to the warden. It has to be submitted to
5 the warden.

6 Q. Well, can you think of any reasons why an
7 inmate might want to have a CD player in connection with
8 his religion?

9 A. For the obvious reasons, to be able to
10 receive education.

11 Q. Do you support individual inmates being able
12 to have CD players for religious education?

13 A. Our policy says that -- our mail room policy
14 says that when there is an educational process going on
15 from an educational source or a school, that they would
16 be authorized with the warden or his designee's
17 approval.

18 Q. Have you ever been a part of the denial of CD
19 players for individual inmates?

20 A. I can't say that I remember. I can't say
21 that I remember doing that. I may have said, I can't
22 approve it, you have to take it to the warden.

23 Q. Do Muslim inmates ever request to use the
24 chapel's CD player?

25 A. Yes.

1 Q. Are Muslim inmates permitted to purchase
2 educational materials related to the Islamic faith?

3 A. There are authorized publishers that they can
4 order from.

5 Q. Which are those?

6 A. I don't have a list. Any -- you know,
7 virtually any book with an international book number,
8 you can go to mom and pop and order that book. There is
9 a list in the mail room that they can inquire in the
10 mail room where they can order a book.

11 Q. The Islamic --

12 A. I want to revisit a point that I made earlier
13 about donations.

14 Q. I'm sorry. I'm going to have to object.
15 This isn't responsive to the question I just asked. We
16 can't clarify previous answers whenever we feel like it.

17 MR. WELBORN: He absolutely can do that.

18 MS. MAPLES: Well, I am going to move to
19 strike everything he says, Joe, because it's not related
20 to the question I just asked.

21 MR. WELBORN: Well, move away, Janna, but he
22 can absolutely do that. If he remembers something in
23 the deposition and wants to correct it, he can
24 absolutely do that. So if you want to do that, go
25 ahead.

1 THE WITNESS: And I don't want to correct
2 anything I said. I want to highlight something I said.
3 The highlight is I've got a good relationship with
4 Muslim organizations. And if there is an educational
5 piece that is beneficial to the group, I'm not bashful
6 to ask. And we've had a tremendous relationship and
7 success record in being able to facilitate what the
8 inmates ask me to ask them.

9 MS. MAPLES: Move to strike. Nonresponsive
10 to the question.

11 BY MS. MAPLES:

12 Q. Which Islamic-based vendors are inmates
13 permitted to purchase educational materials from?

14 A. The list of authorized sources is listed in
15 the mail room.

16 Q. Is it your testimony that you don't know any
17 of them?

18 A. My testimony is that we do a pretty good job
19 of getting donations for those requests. If it's an
20 independent issue, the inmates all know that they could
21 communicate with the mail room, get a name and follow
22 through that way.

23 Q. Is it your testimony that you don't know a
24 single Islamic vendor from which Muslim inmates can
25 purchase educational materials?

1 A. I'm saying I can't recall.

2 Q. You don't know any of them?

3 A. I didn't say I didn't know, I said I can't
4 recall.

5 Q. What about the Islamic Book Store?

6 A. I strongly believe that is one.

7 Q. Well, I think you testified earlier that it
8 was one. So does that mean that it is one or you just
9 strongly believe it is?

10 A. I believe they can get correspondence and
11 educational material through them.

12 Q. So inmates can purchase educational material
13 from the Islamic Book Store, but not food items from the
14 Islamic book store?

15 A. They can buy food items through Tennessee's
16 vendor, which is Union Supply.

17 Q. If an inmate wants to purchase educational
18 materials from the Islamic Book Store, do they have to
19 get your permission first?

20 A. What they need to get permission from me
21 about would be property. For example, there are prayer
22 rugs available through our vendor. But if they say they
23 wanted a certain color and they know that Medina has it,
24 proper procedure is, if you're not going to use -- or
25 it's not available through Union Supply, you would go to

1 the chaplain and get the approval, with the assistant
2 warden and the warden's approval. Ma'am, I am not asked
3 about food items.

4 Q. If an inmate wants to purchase educational
5 materials through an Islamic vendor, do they have to get
6 your permission?

7 A. You're talking about college? What kind of
8 educational material, ma'am?

9 Q. Any.

10 A. Well, there's different kinds of education.
11 If it's a school by which you're getting a degree, there
12 are certain steps in approval with the education
13 department and the warden that would require approval.
14 And maybe the acquisition of a CD player and so forth.
15 Maybe even the need of a proctor to be assigned.

16 For a single book, which I would deem
17 educational, there are any number of places. You don't
18 have to go to an Islamic vendor. I mean, you can go to
19 Barnes and Noble and get something. So if they want to
20 be able to get a book through one of the book stores,
21 they can do it.

22 Q. Do they need your permission to do it?

23 A. No.

24 Q. Is there anything that an inmate can purchase
25 from an Islamic vendor that does not need your approval?

1 A. All property items, prayer oil bottle, a
2 religious rug, a kouffi, is a property item that would
3 have to be individual authorized items. If they were
4 not available through our vendor, the policy tells me to
5 find a vendor, get the appropriate senior leadership
6 approval and the inmate can then procure.

7 Q. Have you ever spoken to any member of
8 CoreCivic leadership about halal foods during and after
9 Ramadan?

10 A. It's a conversation piece for every chaplain
11 serving in a prison. Sure. I mean, chaplain's
12 meetings, conference call, sure.

13 Q. Who did you talk to?

14 A. What do you mean, ma'am?

15 Q. Well, have you talked to -- does CoreCivic
16 have a head chaplain?

17 A. Yes, Mr. Darnell was chief chaplain until, I
18 don't know, August or something like that.

19 Q. Was Mr. Darnell chief chaplain with CoreCivic
20 or with TDOC?

21 A. Both. He was at TDOC first and then he went
22 to CoreCivic.

23 Q. Did you have conversations with him about
24 halal foods?

25 A. I'm sure I did. I'm sure I have.

1 Q. Do you recall the content of those
2 discussions?

3 A. I think one of the -- probably one of the
4 more key points is talking about CoreCivic Tennessee and
5 our relationship with TDOC. And although he was on at
6 TDOC, he would review each state and how things are
7 done.

8 Q. What specifically did he say about halal
9 foods?

10 A. I can't recall what he said. I mean, you
11 would have to specific.

12 Q. Well, I'm asking for everything you recall.

13 A. What I recall is, is that there is a clear
14 practice of an alternative tray to be used by religious
15 inmates. It's a law. So we are in compliance.

16 MS. MAPLES: Joe, you're going to have to be
17 on camera.

18 MR. WELBORN: Why?

19 MS. MAPLES: Because that's how this works.
20 The witness is turning in his chair, looking at you.
21 You are not on camera. There are people in the room
22 with the witness. I mean, come on.

23 MR. WELBORN: Janna, what are you accusing me
24 of?

25 MS. MAPLES: Nothing. I'm just saying it's

1 absolutely standard for people in the room --

2 MR. WELBORN: Our setup here, because it is
3 Zoom, I'm about two feet from him now. I'm out of the
4 picture to give the witness room. So ask your
5 questions.

6 MS. MAPLES: Joe, you have two different
7 computers set up. All you would have to do is angle the
8 computer about an inch one way or the other. Come on.
9 I mean, don't be ridiculous. You would have to move the
10 computer very slightly. You're refusing to put an
11 attorney on the camera which would be very easy to do?

12 MR. WELBORN: No, Janna, I am sitting where I
13 am sitting. I am not doing anything other than sitting
14 here. Ask your questions and quit worrying about this
15 stuff.

16 MS. MAPLES: This is standard practice, Joe.
17 I mean, this would be a stupid thing to have to do
18 motion practice on because you won't put objecting
19 attorneys in the room with the witness on camera. I'd
20 hate to have to do all of these in person because you
21 don't want to put your face on camera. Is that where we
22 are?

23 MR. WELBORN: Here I am.

24 MS. MAPLES: Okay, I guess we'll do them all
25 in person.

1 MR. WELBORN: What is your problem? What are
2 you worried about?

3 MS. MAPLES: Joe, it's really just --

4 MR. WELBORN: Answer the question, what are
5 you worried about?

6 MS. MAPLES: I am not going to have lengthy
7 discussions about this with you on the record. I've
8 asked multiple times to just...

9 MR. WELBORN: Let's go off the record.

10 (Off-the-record discussion.)

11 MS. MAPLES: I'm going to put another
12 document in front of you.

13 (Exhibit 5 was marked.)

14 BY MS. MAPLES:

15 Q. Mr. Shonebarger, do you recognize this
16 document?

17 A. Can you continue to scroll down, please? I
18 do recognize it.

19 Q. Okay, in what context was this affidavit
20 created?

21 A. Um, there was some kind of a legal action.
22 Emergency action I think. I certainly don't know all of
23 the legal components. But basically, I was asked to
24 make a statement in reference to the Eid feast, if I
25 remember correctly, from a couple of years ago.

1 Q. Okay, and do you see No. 8?

2 A. I'm looking at it, ma'am, yes.

3 Q. Do you need a second to read it?

4 A. No, I've got it.

5 Q. Is this the description that you gave of the
6 rationale for the change in TDOC and CoreCivic policy
7 regarding donated food?

8 A. Yes.

9 Q. Is this an accurate statement of the
10 rationale behind those policies?

11 A. That's a true statement.

12 Q. Is it a complete rationale for the policies
13 concerning donated food items?

14 A. I can't remember, without reading the entire
15 document, whether there was other features.

16 Q. Well, I am going to give you control of the
17 document and you can read it.

18 A. Restate your question.

19 Q. I was asking if No. 8 provides a complete
20 rationale behind the policy concerning donating food
21 items?

22 A. That was my understanding.

23 Q. And Nos. 11 and 12, when you're referring to
24 halal food items available to Muslim inmates, are the
25 only halal food items vegetarian options, as referenced

1 in No. 12?

2 A. Restate the question, please.

3 Q. In this affidavit, you reference halal food
4 items that are available to Muslim inmates.

5 A. Correct.

6 Q. Are the only halal food items available to
7 Muslim inmates vegetarian options?

8 A. Yes. Let me strike that. The only non-halal
9 on the regular tray would be the meat. The alternative
10 tray is 100 percent halal.

11 Q. I'm not trying to trick you. I'm just making
12 sure that the only halal items, food items offered to
13 inmates are vegetarian; is that right?

14 A. No. The regular tray is halal, with the
15 exception of the meat. The alternative tray, call it
16 vegetarian if you wish, is 100 percent halal.

17 Q. What halal items do you have that are meat?

18 A. We don't have any.

19 Q. Okay. Are you drawing a distinction between
20 vegetarian and non-meat?

21 A. Not being a dietitian, I don't know. I don't
22 want to misstate what a vegetarian diet is. I am not an
23 expert on anything that makes up a vegetarian diet. I
24 like, personally, to use the term fleshless, whether it
25 be beef or chicken or whatever. You know, certainly not

1 pork. But that's where I am coming from.

2 Q. Okay. Can Muslim centers or organizations
3 donate packaged foods?

4 A. If they volunteer to. We haven't had that
5 luxury.

6 Q. Do you attend the Taleem and Jummah services?

7 A. I am outside -- I am in an office with my
8 door open and they are right outside in the chapel. I
9 will clarify. The fact that I am off, my regular day
10 off is Friday. So I would not be witness to Jummah.
11 There have been Jummahs in my four-and-a-half-year
12 tenure that I have witnessed. But as a manner of
13 observing my calendar, I'm not there on Friday. So I do
14 observe the Taleem service. And remember, we have two
15 chapels.

16 Q. Have you received a request that inmates get
17 prayer oil purchased from an Islamic vendor?

18 A. Early on in my tenure there was.

19 Q. And was that something that you just had to
20 refer to TDOC, you didn't have authority over it?

21 A. I quoted the policy. I mean, TDOC had
22 already spoken. Their statement was made in the policy.
23 So if there was any quarrel with the policy, they could
24 grieve it.

25 Q. Are you aware that Muslim women are permitted

1 to wear a hijab?

2 MR. WELBORN: Object to the form.

3 THE WITNESS: Ma'am, I don't. I've never
4 been a chaplain at a women's prison.

5 BY MS. MAPLES:

6 Q. Have you received requests concerning the way
7 that Muslim male inmates dress?

8 A. I -- I'm trying to think about Mr.
9 Pleasant-Bey's accommodation that could have been --
10 other than the prayer sandals, there could have been
11 something that addressed that.

12 Q. Would all requests go through TDOC or would
13 you have any authority over that?

14 A. All goes through TDOC. Unless there is a
15 stated position against it -- you know, if it's against
16 it, they can always grieve it or litigate it. But the
17 process, the mechanism for consideration and
18 facilitation is done the same way.

19 Q. If there is a certain accommodation that has
20 been permitted at a different facility, how much weight
21 do you give that accommodation when it's requested by an
22 inmate at Trousdale?

23 A. The only example in my Tennessee chaplaincy
24 was Mr. Pleasant-Bey with the Arabic class and the
25 Hebrew class with Mr. Song. Those two. Those two.

1 Q. Are you saying that the Koranic studies class
2 was available at a different facility?

3 A. It was denied at another facility. I believe
4 it was denied. But it's a moot point because every
5 facility evaluates according to their point of view.
6 And as was answered by Mr. Darnell and Mr. Pleasant-Bey,
7 they don't carry over from facility to facility.

8 Q. I understand. That's why I'm asking how much
9 weight you give a decision that's been made by another
10 facility. If another facility says it's okay and we
11 think it's a good idea, do you take that into
12 consideration or do you just ignore that?

13 A. Oh, sure, I consider it. You also have to
14 consider, you know, those that we're a part of it and so
15 forth like that. I mean, are they still -- was it ten
16 years ago and there's a policy change. Safety
17 consideration. There's any number of factors within the
18 framework of corrections that needs to be evaluated into
19 realtime. So all of these mechanisms are laid out. All
20 of these thought processes are laid out. All of the
21 options are laid out.

22 You know, I'm not, as a chaplain, looking for
23 reasons for denial. I am looking for reasons for
24 facilitation. And if there's reasons why it must be
25 denied, I need to be diligent and do my due diligence

1 and be honest.

2 Q. How often do you have discussions with the
3 warden at Trousdale?

4 A. Minimal.

5 Q. How often do you have conversations with
6 CoreCivic executives?

7 A. Please define executives.

8 Q. Vice president, president, chief operating
9 officer, chief executive officer.

10 A. Rarely to the managing director. And rarely
11 with the vice president. The vice president used to be
12 the managing director. And at most, it's chit-chat,
13 talking football or something like that. It is not
14 talking about the policy or about pertaining to
15 religion.

16 Q. Who do you report to?

17 A. We're very -- I am held accountable with the
18 exception to go through my chain of command. CoreCivic
19 is a very chain-of-command-oriented organization. And
20 my constant conversation throughout the day is with my
21 assistant warden.

22 Q. Who do you report to?

23 A. Assistant Warden Wattwood.

24 MS. MAPLES: I'm going to put another
25 document in front of you.

1 (Exhibit 6 was marked.)

2 BY MS. MAPLES:

3 Q. Do you see that this is an e-mail chain
4 between you and Brian Darnell?

5 A. Yes.

6 Q. And I recall you earlier mentioning that
7 there was a situation in which Mr. Pleasant-Bey received
8 a delayed response from Mr. Darnell. Is this the
9 situation you were referring to?

10 A. I think so, but let me...

11 Q. Go ahead.

12 A. Mr. Pleasant-Bey, several times would bypass
13 me and directly -- and direct his correspondence to the
14 central office.

15 Q. Let me know when you get done.

16 A. What is your question, ma'am?

17 Q. My question was, is this the e-mail chain and
18 correspondence that you referred to earlier when you
19 said that there was an accommodation request that it
20 took several months for Mr. Pleasant-Bey to receive a
21 response to?

22 A. The religious activity committee has, I
23 believe, a few months to respond. Mr. Darnell, Reverend
24 Darnell, chairs the religious activity committee. And
25 he was late.

1 Q. How long does the religious activity
2 committee have to respond?

3 A. I believe they have -- they want it submitted
4 by the -- it's quarterly. They want it received like at
5 the end of the quarter. And they have -- I don't have
6 the policy in front of me. And I'll restate. I've had
7 so few religious activity -- religious accommodation
8 requests that I'm a little foggy on that right now. And
9 certainly, if I was to receive one today, I would retune
10 my memory on what their timeline is.

11 Q. Well, it looks like, based on your e-mail
12 here, that you're saying, on November 24th on 2018: I
13 am following up on the religious accommodation request
14 from Boaz Pleasant-Bey 473110 -- I'm sorry, can you stop
15 scrolling while I'm trying to read?

16 A. I beg your pardon. I didn't realize.

17 Q. Strike that. Do you see that on October 24th
18 of 2018, you have written: I am following up on the
19 religious accommodation request from Boaz Pleasant-Bey
20 473110. Our TTCC submission to the RAC was in May.
21 Please advise. Thanks.

22 A. Yes, ma'am. What is your question?

23 Q. My question was did you see it?

24 A. Yes, ma'am.

25 Q. My next question is, do you see that you

1 submitted it to TDOC in May?

2 A. Yes, ma'am.

3 Q. Right?

4 A. Yes, ma'am.

5 Q. You followed up on it in October; is that
6 right?

7 A. Yes, ma'am.

8 Q. And it looks like he responds on October
9 24th, right?

10 A. Yes, ma'am.

11 Q. But then it looks like you don't get an
12 answer until January of 2019; is that right?

13 A. What Mr. Pleasant-Bey had done is transfer
14 facilities and had been denied at his previous facility.
15 Now he comes to Trousdale and is asking for the same
16 thing at a different facility. Mr. Darnell is telling
17 Mr. Pleasant-Bey, you keep asking the same question.

18 Q. Well, you said every facility is independent
19 and they all can evaluate the request and make their own
20 assessment and completely independent from each other,
21 so why wouldn't --

22 MR. WELBORN: Object to the form.

23 BY MS. MAPLES:

24 Q. Go ahead.

25 A. Go ahead, ma'am.

1 Q. That was my question.

2 A. I'm not privy to the correspondence that he,
3 Darnell had with Mr. Pleasant-Bey in the past, previous
4 to Trousdale.

5 Q. Well, this exhibit is all Trousdale
6 correspondence. So I am asking about it. I am asking
7 you if you submitted a request to the religious activity
8 committee in May, asked for a follow-up in October and
9 then got an answer in January of 2019, if that's your
10 understanding of what is going on in this exhibit?

11 A. Okay, this document I have in front of me is
12 from Darnell to Pleasant-Bey. And I can't see down
13 below. I obviously was copied on it. Yeah, I was
14 copied on it. In the second paragraph is referenced the
15 religious accommodation that was submitted by --
16 initiated with me through my chain of command to the
17 religious activity committee. Mr. Darnell states that
18 continuing independent inquiries by Mr. Pleasant-Bey
19 outside of the proper channels is not helpful.

20 Q. Well, I mean, if he hasn't received a
21 response for seven months, do you think it's reasonable
22 that he try something else, or do you think he should
23 just keep waiting?

24 A. No, I think he should come to me. There was
25 no evidence that I had -- you know, let me say this:

1 Obviously, my eye is on the ball. Let me go back to the
2 original submission -- let's see here. I had -- I had
3 said that there got to be a point where Mr. Pleasant-Bey
4 wasn't coming to me, whether it be through grievances or
5 litigation or other decisions. And certainly, my eye is
6 on the ball. I want to be able to have timely responses
7 from the central office, just so I can do my due
8 diligence and answer the inmate.

9 But I don't have, you know, a copy of any of
10 the correspondences between central office and Mr.
11 Pleasant-Bey. That would be, you know, them. I wasn't
12 included, obviously.

13 Q. So you're saying, obviously, you were on the
14 ball because you submitted it in May and then you sent a
15 follow-up e-mail five months later in October. So
16 obviously, you were on the ball?

17 A. One of the observations in this e-mail chain
18 was Mr. Darnell's comment that he was on the road. I
19 was making phone messages to him. I had followed up
20 verbally without response. And I finally got an answer,
21 but...

22 Q. Well, it says, let's see: Forgive my prior
23 lack of response during my year end travel extravaganza
24 for departmental programming improvement. Is that what
25 you're referring to as him being on the road?

1 A. It is.

2 Q. So in addition to this e-mail exchange,
3 you're saying you also tried multiple times by phone to
4 get a response?

5 A. I did.

6 Q. Do you often have a difficult time getting a
7 response from TDOC on religious issues?

8 A. I have a contract monitor on site, that when
9 I need answers, I can always seek them out. When it
10 comes to the religious activity committee, my contract
11 monitor can make an inquiry. I do have access, as I
12 stated, with Mr. Brun and Mr. Walton.

13 Q. Do you often have a difficult time getting
14 responses from Brian Darnell on religious issues?

15 A. Well, you know, Mr. Darnell is no longer an
16 employee of TDOC or CoreCivic, so whatever may have
17 happened in the past is, you know, historical.

18 Q. Is it your understanding that I am not
19 allowed to ask you about anything historical?

20 A. I beg your pardon? Repeat, ma'am.

21 Q. When Mr. Darnell was employed at TDOC, did
22 you often have trouble getting a response from Mr.
23 Darnell concerning religious issues?

24 A. Well, I think the correspondence demonstrates
25 that.

1 Q. Well, it indicates that it happened one time
2 for sure. I'm asking if this was something that
3 happened many times?

4 A. I can't recollect that.

5 Q. You don't know the responsiveness of Mr.
6 Darnell?

7 A. I can't remember. You know, I consider this
8 a priority. And Mr. Darnell stated that there were
9 conflicts with his work load.

10 Q. With his travel extravaganzas, you mean?

11 MR. WELBORN: Object to the form.

12 THE WITNESS: Whatever it may be. You know,
13 he's obviously not reportable to me about his schedule.

14 BY MS. MAPLES:

15 Q. Have you often had trouble getting timely
16 responses from the religious activities committee at
17 TDOC?

18 A. I've only had two. So the first one, no, I
19 had no problem. That had to do with the Hebrew and
20 Greek class when the director was Deborah Thompson. And
21 then the one we're talking about now with Mr. Darnell.

22 Q. Do you keep records of all of the religious
23 accommodation requests that you receive?

24 A. I do.

25 Q. And you have copies of those?

1 A. My attorney has that.

2 Q. It just -- it seems strange that there's only
3 two of them. Are you certain that you haven't received
4 additional ones?

5 A. I have not had any since Mr. Pleasant-Bey.
6 That's the last one I received.

7 Q. Well, are they going to the other chaplain or
8 do all of them come to you?

9 A. Well, I am not aware -- I am not aware of
10 any. He came onboard in October. I don't know of any
11 that have been submitted.

12 Q. Well, I'm talking about other chaplains since
13 you've been there.

14 A. None.

15 Q. Do you find it shocking that you've only had
16 two religious accommodation requests since 2016?

17 A. No.

18 Q. Why not?

19 A. I think our population has a large piece to
20 that. Our guys are, I had stated, approximately 1800
21 Christians. You know, to be able to have a chapel
22 service or a discussion group doesn't require anything
23 out of the norm above and beyond something that has been
24 newly discovered that needs to be approved or
25 disapproved. And the same thing with the other faiths.

1 You know, the faiths are established. Practices are in
2 place. Guys know what they can do. And we're following
3 -- you know, we take care of them.

4 Q. I'm going to share another document.

5 MR. WELBORN: Before you do that, Janna, I've
6 got to turn this over to Erin. We may need to take a
7 break so she can come over.

8 MS. MAPLES: Okay, whatever you all need to
9 do. Do you want to go off the record?

10 MR. WELBORN: Yes.

11 (Recess observed.)

12 BY MS. MAPLES:

13 Q. Mr. Shonebarger, I'm about to show you
14 another document. This is a series of documents that
15 have been combined into one collective exhibit.

16 (Exhibit 7 was marked.)

17 BY MS. MAPLES:

18 Q. I'm going to give you control so that you can
19 scroll through. You can go ahead and scroll through and
20 let me know when you get done.

21 A. Okay, ma'am, go ahead and proceed.

22 Q. Okay, do you see that this collective exhibit
23 involves some requests from a Jewish inmate?

24 A. Yes.

25 Q. And do you see that this e-mail from you

1 dated November 28th of 2017 states: Be aware that when
2 I spoke to Director Thompson about the lack of a group
3 of inmates, she directed me not to query the TTCC
4 population for interested inmates.

5 A. I see that.

6 Q. Do you recall the event?

7 A. I do.

8 Q. And why would the director tell you not to
9 determine if there are additional Jewish inmates that
10 want a group service?

11 A. Because if an inmate has a sincerely held
12 belief concerning his faith, he would pursue that with
13 the point of entry, which is the chaplain. There had
14 been no other inquiries about the Jewish faith, other
15 than Inmate Steakley. Number two, the director made it
16 very clear to me, I cannot proselytize on behalf of
17 another religion.

18 Q. What do you mean the director made it clear
19 to you you cannot proselytize?

20 A. That means I cannot go into living units, I
21 cannot go into pods and say, do you want to be Jewish?
22 Do you want to be Jewish? Do you want to be Jewish? Do
23 you want to be Jewish? If an inmate has a sincerely
24 held belief, they will pursue the practice of their
25 sincerely held belief and will receive satisfaction

1 through the chaplain's office. It's the inmate's
2 responsibility to pursue his faith, not the chaplain to
3 chase after inmates.

4 Q. Do you see at the bottom of this collective
5 exhibit, the last page is Bates stamped in the bottom
6 right-hand corner CCI 00097 -- strike that. Do you see
7 that on the last page of this collective exhibit, there
8 is a document that is Bates stamped in the bottom
9 right-hand corner CCI 000792?

10 A. I do see that.

11 Q. Do you see that this is a memo that you've
12 written or co-authored with Chaplain Tom Simic to Warden
13 Russell Washburn?

14 A. Through my assistant warden for the religious
15 accommodation as is directed within Policy 118.01.

16 Q. Now, is this one of the two religious
17 accommodations you've received or is this perhaps a
18 third?

19 A. Yeah, I had forgotten about this one.

20 Q. And do you see that the Nation of Islam faith
21 is requesting certain accommodations concerning DVDs,
22 CDs and texts?

23 A. In this particular graph here on this
24 particular letter -- memo?

25 Q. Yes.

1 A. Which paragraph are you referring to, ma'am?

2 Q. Paragraph 2.

3 A. Okay. I was thinking we were still on Mr.
4 Steakley. Give me just a moment. What is your
5 question, ma'am?

6 Q. Well, the question is, if this is a Nation of
7 Islam request that they be permitted to receive and
8 purchase DVDs, CDs, and texts?

9 A. Okay, continue. I don't know what you're
10 asking me.

11 Q. I'm asking if you see that this memo concerns
12 --

13 A. I do. Yes, ma'am. I see.

14 Q. Okay.

15 A. Thank you.

16 Q. And it looks like in Paragraph 4, you state
17 to answer 7B: I recommend we submit this reply to the
18 TDOC slash RAC. Approval with modification. The Nation
19 of Islam faith group may request religious program
20 materials in writing to the religious services
21 department at Trousdale Turner Correctional Center.
22 Upon review and approval, procurement of group faith
23 material will be acquired from vendors at the discretion
24 of the facility. The assistant warden of treatment
25 approves all purchases. Inmates are prohibited by TDOC

1 policy 507.02 Section 6E to purchase electronic media
2 themselves.

3 A. Correct.

4 Q. Do you recall this?

5 A. Yes.

6 Q. So is this a case that all requests for
7 religious texts and electronic media come through you?

8 A. When it's educational, as has been stated, it
9 would be approved through the warden for a faith group.
10 Faith group supplies property as mandated for the
11 facility for purchase. The Nation of Islam does not
12 have that. There was nothing mandated by Tennessee for
13 us to buy. So any interest that they may have in
14 studying a particular subject should be submitted, a
15 request submitted for consideration. It would be
16 evaluated and recommended by the chaplain, the assistant
17 warden. If approved, it would then be procured.

18 Q. Have you received any written requests for
19 religious program materials?

20 A. From who? From the Nation of Islam?

21 Q. From any Muslim inmates.

22 A. I have been able to get religious donations,
23 educational materials for the Sunni inmates. It may be
24 important for you to understand, at the time of this
25 writing, Final Call -- at the time of this writing,

1 Final Call was not authorized as a vendor in the State
2 of Tennessee. I appealed -- I appealed to the assistant
3 commissioner, Vicki Freeman, and identified my concern
4 that we can't blanket -- this approved a single vendor.
5 And it has to stand-alone on its own merit.

6 That saying, final call is now authorized in
7 the State of Tennessee, but would be filtered against
8 mail room policies concerning hate speech, gang
9 activity, pornography, things of that nature.

10 Q. Have you received any written request for
11 religious program materials from Muslim inmates?

12 A. I would say there probably was from the
13 Nation of Islam.

14 Q. How about from the Sunni Muslims?

15 A. I can't recall any. And as I repeated, you
16 know, through the day, the things that they're looking
17 for, I have always been able to get a donation. So we
18 haven't had to buy it.

19 Q. All I'm asking is have you received written
20 requests from Sunni Muslims concerning religious program
21 material?

22 A. And I'm saying I don't recall any Sunni
23 Muslim request. I do not recall any.

24 Q. Okay.

25 A. Now, there could be verbal, but not written.

1 Q. Okay. I'm going to show you another set of
2 documents. I'm going to allow you to control the screen
3 so you can scroll through those.

4 A. Okay, ma'am.

5 Q. Okay, do you see that there is a series of
6 exchanges concerning the Koranic Arabic studies class?

7 A. Yes.

8 Q. And do you see that, as you previously
9 stated, you recommended that that not be approved?

10 A. As a stand alone program, that is correct.

11 Q. And do you see that you state: The
12 opportunity to learn Arabic can be accomplished in the
13 weekly Sunni Taleem religious program?

14 A. Yes, ma'am, that's been my historical
15 position.

16 Q. Well, didn't you also say earlier that you
17 didn't approve this program because it's not a religious
18 program?

19 MS. POLLY: Object to the form. You can
20 answer.

21 THE WITNESS: When we talked about Mr. Song's
22 religious accommodation coming from Northeast, he had
23 taught it there. When I came on board in 2016, he
24 submitted a request that the prison, that our
25 leadership, beginning with myself through the warden,

1 disapproved. Recommended disapproval. Recommended to
2 the religious activity committee disapproval because it
3 was not a religion.

4 Deborah Thompson, who was director at the
5 time, disagreed and authorized the facilitation of the
6 Hebrew Greek study class. Mr. Tarver was the precursor
7 to Mr. Pleasant-Bey in the request of a stand-alone
8 class. My position has historically been, there is up
9 to four hours twice a week, eight hours, including out
10 counts, to include Arabic language study.

11 BY MS. MAPLES:

12 Q. Are you done with your answer?

13 A. Yes, ma'am.

14 Q. Here's what I'm asking: I'm asking if, in
15 your opinion, an Arabic study class is religious or not
16 religious?

17 A. Not religious.

18 Q. So you're saying --

19 A. It has to be a religion. The policy says it
20 has to be a religion. Not religious, a religion. A
21 recognized religion, one of the 93. Arabic Greek or
22 Arabic is not a religion recognized by the State of
23 Tennessee. Hebrew Greek is not a religion recognized by
24 the State of Tennessee.

25 Q. Well, it says Koranic Arabic studies, right?

1 A. Their ultimate desire would be able to
2 translate Arabic for the Koran or other application. So
3 it would be a perfect fit for their Taleem and Jummah
4 services.

5 Q. Well, and that's kind of what I am a little
6 bit confused about because you're saying it's not a
7 religion, not related to religion, but you're also
8 saying that they need to address it during their
9 religious service.

10 MS. POLLY: Object to the form. You can
11 answer.

12 BY MS. MAPLES:

13 Q. Well, let me finish the question. So do you
14 see that there is a little bit of dissonance there?

15 MS. POLLY: Object to the form.

16 THE WITNESS: No, not at all. I have stated
17 earlier today that I'm not going to stand in judgment of
18 their religious service. If they are peaceable and want
19 to discuss anything amongst themselves as a community,
20 they can do that. To include introduction of an Arabic
21 language or an article from a magazine. Anything they
22 wish. So if they're going to meet together, it's going
23 to be during one of those two services.

24 BY MS. MAPLES:

25 Q. Why don't Christians just get two four-hour

1 blocks, then? Why do Christians --

2 A. Well, if the --

3 Q. I am sorry, let me finish my question. Why
4 don't -- why do Christians get a class taught by you, a
5 service taught by somebody else, a discipleship study?
6 You know, why doesn't everybody just get two four-hour
7 blocks a week where they have to cram everything in?

8 MS. POLLY: Object to the form.

9 THE WITNESS: Ma'am, the fact of the matter
10 is, their requests for spending time during the out
11 count, not going back to their housing unit is rare.
12 It's rare. They have that available. They have it
13 available on request. They don't -- they usually don't
14 even ask. They're not cramming anything. They're
15 usually trying to determine on how to fill up their
16 time.

17 Now, as far as how the schedule is made, as I
18 said earlier today, it has to do with the population of
19 the facility. When I have 1800 inmates, in order to try
20 to facilitate opportunities for the population, with
21 that ratio, there is going to be more Christian
22 services.

23 BY MS. MAPLES:

24 Q. Do you often sit in religious services for
25 four hours?

1 A. I am right outside the door.

2 Q. No, that's not what I mean. I mean, do you
3 personally, in your observance of your own faith,
4 regularly sit in four-hour long religious services?

5 A. In the course of my chaplaincy, yes.

6 Q. No, I am talking about you personally.

7 A. I'm talking about me personally. Yeah, I
8 mean, there's seminars. There's all -- any number of
9 things potentially through programming and special
10 programming that would require my facilitation, my
11 coordination with volunteers with my presence and so
12 forth. The answer is yes.

13 Q. Well, all of that sounds professional, not
14 personal. I am asking you if, in the observance of your
15 personal faith as a Christian, you regularly sit in
16 services that last four hours?

17 A. I don't.

18 Q. Right. And is that because sitting for four
19 hours twice a week could be somewhat inconvenient?

20 A. Well, probably --

21 MS. POLLY: Object to the form.

22 THE WITNESS: The person offering the
23 services didn't want to go that long, probably.

24 MS. MAPLES: That makes a lot of sense.

25 (Exhibit 8 was marked.)

1 BY MS. MAPLES:

2 Q. Do you see you have in front of you an
3 affidavit by an individual named Aaron Williams?

4 A. I see it.

5 Q. Do you know who Aaron Williams is?

6 A. I do.

7 Q. He was a chaplain's aid; is that right?

8 A. For a time.

9 Q. Well, in the affidavit it says from 2016
10 through December of 2019; is that right?

11 A. That sounds about right.

12 Q. So you say for a time. So for like three
13 years, right?

14 A. Yeah, he was. He was fired by the warden.

15 Q. That's non-responsive to my question. What
16 I'm asking you is --

17 A. During that tenure, yes. He was there during
18 that tenure.

19 Q. So three years, right? I am sorry, are you
20 going to answer my question?

21 MS. POLLY: He said yes three times now.

22 THE WITNESS: Ma'am, I've said yes.

23 BY MS. MAPLES:

24 Q. Do you see that he's typed up a number of
25 things here and signed it concerning you and your

1 performance as chaplain?

2 A. I see it.

3 Q. Now, a couple of them, we've already
4 discussed. Do you see that No. 10 says: There are
5 several Islamic sponsors who would accompany me at every
6 prison I am transferred to, who would, in parenthesis,
7 mysteriously never be able to come to TTCC at any time
8 when Mr. Shonebarger called them to schedule time for
9 them to come to TTCC for the Islamic community to give
10 speeches.

11 A. I see that statement.

12 Q. Do you see that Mr. Williams is stating that
13 you had been unable to bring in Islamic sponsors to
14 speak to the Islamic community?

15 A. I see that.

16 Q. Did Mr. Williams ever give you the names of
17 any individuals from the Islamic community that he
18 recommended would be willing to come to Trousedale to
19 speak?

20 A. Yeah, not only did he do that, but he also
21 gave me the names of ones that he considered not
22 appropriate.

23 Q. Did you reach out to the ones that were
24 recommended by Mr. Williams?

25 A. My course of action in the active pursuit of

1 volunteers, as Trousdale's volunteer coordinator, is to
2 talk to central office, beginning with central office
3 chief chaplain, talk about who may be recognized, may be
4 volunteering across the state. There's documentation
5 showing that I made every attempt to recruit.

6 The key word is volunteer. And Hartsville,
7 Tennessee is a part of Middle Tennessee. And there are
8 numerous prison opportunities within the greater
9 Nashville area. I haven't found anybody that is
10 interested that wants to come to Trousdale, take up
11 their time, their money, their gas, et cetera. I
12 haven't found any.

13 I was given referrals by Riverbend and I
14 reached out to those Islamic volunteers. And I had been
15 told they're not even active anymore, but they told me
16 they were not interested. I had consulted with the
17 Islamic -- the Nashville Islamic Center resident scholar
18 and imam a year ago. Met with him in person. And he
19 said he doesn't even have men capable of leading studies
20 for the children at his own mosque. And by the way,
21 that would be one individual that the inmates said that
22 if you bring him, we're not showing up.

23 So I certainly want to facilitate programming
24 for all faith groups. I ask other chaplains who they
25 have. And this isn't just a Trousdale problem. This is

1 a Tennessee problem. And quite obviously, we are in the
2 middle of the belt buckle of the Bible belt. And
3 there's not some of these face -- though there can be
4 some places, that doesn't mean they're going to drop
5 what they're doing and volunteer and drive three hours
6 back and forth and spend the time inside the facility.

7 So this is an inaccurate statement. The
8 inmate, I do not report to the inmate. I don't report
9 to him. I report to the auditors. I report to the
10 warden. I report to central office and to the chief
11 chaplain of the company. And they have found that I
12 have done my due diligence in recruiting and are
13 satisfied with my efforts.

14 Q. I am going to move to strike that as
15 non-responsive to my question.

16 MS. MAPLES: Carole, can I get my question
17 read back?

18 (Whereupon, the court reporter reads back the
19 question.)

20 THE WITNESS: Did Mr. Williams submit those
21 in writing?

22 BY MS. MAPLES:

23 Q. Mr. Shonebarger, please answer the question.

24 A. I pursued recognized houses of worship in
25 Tennessee to include some that Mr. Williams had made

1 mention of. I don't remember the names. If there is a
2 document where he wrote me and I responded, it would
3 enhance my memory.

4 Q. So you may have reached out to some that he
5 recommended, but it sounds like, at least with some of
6 them, you made a judgment call and did not reach out to
7 those individuals; is that right?

8 MS. POLLY: Object to the form.

9 THE WITNESS: Ma'am, I don't work for the
10 inmate.

11 MS. MAPLES: Move to strike as nonresponsive.

12 BY MS. MAPLES:

13 Q. Mr. Shonebarger, it sounds like based on your
14 testimony, there were at least some individuals
15 recommended to you by Mr. Williams as potential
16 volunteers from the Islamic faith that you did not reach
17 out to; is that correct?

18 MS. POLLY: Object to the form.

19 THE WITNESS: Who are they?

20 BY MS. MAPLES:

21 Q. Mr. Shonebarger, do I need to keep repeating
22 the same question?

23 A. I don't know how to answer other than what
24 I'm answering. I'm willing to chase -- I'm willing to
25 follow up on any referral. I have nothing to prohibit

1 that. For the sake of accuracy, I would like to know
2 the names.

3 Q. Based on your testimony, it sounds like there
4 are some volunteers or potential volunteers recommended
5 to you by Mr. Williams that you did not reach out to for
6 whatever reason.

7 A. That's false.

8 Q. That's false?

9 MS. POLLY: Object to the form.

10 BY MS. MAPLES:

11 Q. Okay, you're saying that's not true.

12 A. Not true.

13 Q. Well, you just said you couldn't remember all
14 of them that he told you. So how do you know?

15 A. I'm willing to call anyone, any name that I'm
16 able to come in contact with.

17 Q. Well, I am not asking if you are willing to,
18 I am asking if you did. And if you don't remember
19 whether you did or didn't, then how can you say that
20 what I'm asking you is false? Do you recall whether you
21 reached out to the individuals that Mr. Williams
22 proposed to you as potential volunteers?

23 A. I don't remember who he asked me to call.

24 Q. Do you remember whether or not you reached
25 out to all of the individuals he requested, regardless

1 of their identity?

2 A. Certainly.

3 Q. Certainly what?

4 A. Certainly, yes.

5 Q. So you don't know who they are, but you
6 recall reaching out to all of them?

7 A. This is what I know --

8 MS. POLLY: Object to the form. Go ahead.

9 THE WITNESS: This is what I know about my
10 mode of operation, ma'am. I am very pro-active in
11 trying to facilitate the progress and advancement of a
12 faith within a facility. Any kind of positive
13 recommendation, I am willing to chase it. I am willing
14 to make a call. I am willing to call someone who may
15 know the person that isn't answering their phone on the
16 other end. I have regular conversations with chaplains
17 and chief chaplains about the subject of volunteers. So
18 it's a constant pursuit.

19 MS. MAPLES: Move to strike as nonresponsive.

20 BY MS. MAPLES:

21 Q. Do you see No. 9?

22 A. I see No. 9.

23 Q. Do you see that Mr. Williams claims that he
24 made religious requests to you for years concerning the
25 Islamic community and that for these requests, you would

1 either deny it, postpone it indefinitely or just never
2 respond?

3 A. That's false.

4 Q. Do you see that that's what he says, though?

5 A. I would agree that's what it sounds like.

6 Q. But you're saying that's false?

7 A. It is false. And throughout the course of
8 the day, I have made mention of the tremendous success
9 that I've had with Islamic donations. And it's Mr.
10 Williams that has provided me those points of contact
11 that I have been successful in acquiring material.

12 Q. Well, I mean, acquiring donations isn't
13 necessarily responsive. He is talking about certain
14 requests he submitted to you, that were either denied,
15 postponed indefinitely or just didn't get a response.

16 A. I said earlier, ma'am, that's false.

17 Q. Okay. Is it false because you never received
18 any requests?

19 A. That's correct.

20 Q. So he's just fabricating that, then?

21 A. Well, looking at this entire document,
22 there's a number of fabrications.

23 Q. Because you've only ever had three formal
24 religious accommodation requests, right?

25 A. I would have to go back and count them.

1 Q. Well, we've been counting them all day.

2 First, you --

3 A. Okay, I think we have Mr. --

4 MS. POLLY: Let her ask you a question.

5 THE WITNESS: Go ahead, ma'am.

6 BY MS. MAPLES:

7 Q. First, you said there were two. And then we
8 reminded you of the Nation of Islam one. And then you
9 said, oh, okay, now there is three, right?

10 A. I think that's what I said.

11 Q. Okay. What about this striking your chest,
12 shouting brother, brother, brother? Do you know
13 anything about that?

14 A. There may have been a patting of chest. It's
15 brother, brother, brother, I have no idea. I have no
16 idea what it is. This inmate tried to suggest that I
17 was giving a Hitler salute, which was formally
18 investigated by the facility and found to be nonsense.

19 MS. MAPLES: Do you all want to take a quick
20 break?

21 MS. POLLY: Sure.

22 (Recess observed.)

23 MS. MAPLES: I've got no further questions
24 for the witness.

25 MS. POLLY: I don't have any questions for

1 the witness.

2 MS. HASHEMIAN: I don't have any questions
3 for the witness.

4 MS. MAPLES: Thank you, Mr. Shonebarger, I
5 appreciate your time.

6 THE WITNESS: Thank you.

7 FURTHER DEPONENT SAITH NOT.

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1 CERTIFICATE

2 STATE OF TENNESSEE)
3) SS.
4 COUNTY OF DAVIDSON)

5 I, CAROLE K. BRIGGS, Licensed Court Reporter
6 within and for the State of Tennessee, do hereby certify
7 that the above deposition was reported by me and that
8 the foregoing pages of the transcript is a true and
9 accurate record to the best of my knowledge, skills, and
10 ability.

11 I further certify that I am not a relative,
12 counsel or attorney of either party nor employed by any
13 of the parties in this case or otherwise interested in
14 the event of this action.

15 IN WITNESS WHEREOF, I have hereunto affixed my
16 official hand on this 18th day of May 2021.

17 Carole K. Briggs

18 CAROLE K. BRIGGS
19 Shorthand Reporter
20 Tennessee License No. 345

21
22
23
24
25

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